

MONDAY, FEBRUARY 4, 2002

SEVENTY-THIRD LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Maddox.

Representative Maddox led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Kernell; personal reasons.

Representative Vincent; family death.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 197: Rep(s). Davis (Washington) as prime sponsor(s).

House Joint Resolution No. 658: Rep(s). Kent and Stanley as prime sponsor(s).

House Joint Resolution No. 665: Rep(s). Davis (Washington) as prime sponsor(s).

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House Joint Resolution No. 668: Rep(s). Overbey and Buttry as prime sponsor(s).

**MESSAGE FROM THE SENATE
February 4, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 538; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 538 -- Memorials, Personal Occasion - William Leo and Marianna Cumbee Smith, 60th Wedding Anniversary. by *Kyle.

**MESSAGE FROM THE SENATE
February 4, 2002**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 519, 521, 522, 525 and 526; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Joint Resolution No. 519 -- Memorials, Recognition - Scott Brooks and Ashley Brooks. by *Jackson.

Senate Joint Resolution No. 521 -- Memorials, Death - Raymond Wesley Adcock, Sr. by *Cooper J, *Harper.

Senate Joint Resolution No. 522 -- Memorials, Retirement - Gerald F. Nicely. by *Henry, *Harper, *Haynes, *Herron, *Dixon.

Senate Joint Resolution No. 525 -- Memorials, Death - Donald R. Messimer. by *Crowe.

Senate Joint Resolution No. 526 -- Memorials, Death - Ruth R. Broyles. by *Crowe.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 199** -- General Assembly, Studies - Creates special house committee to examine usage and effects of drug ritalin and other amphetamines. Amends TCA Title 11, Chapter 4. by *Brown.

House Health and Human Resources Committee

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***House Joint Resolution No. 661** -- Constitutional Amendments - Requires three-fifths vote of general assembly to raise rate of sales tax or tax measured by income, and requires offsetting rate reduction. by *Rinks.

House Finance, Ways and Means Committee

***House Joint Resolution No. 667** -- General Assembly, Statement of Intent or Position - Expresses support for Division of Forestry's commitment to sustainable forest management in state forest system, and FSC and SFI forest sustainability certification programs in general; commends Division for attaining certification from FSC; urges Division and Forestry Commission to demonstrate and interpret progress in achieving certification in sustainable forest management as means to promote such practices on private forest land. by *Givens, *Baird, *Goins, *Dunn, *Bowers, *Bone, *McDaniel, *Windle.

House Conservation and Environment Committee

***House Joint Resolution No. 670** -- General Assembly, Studies - Creates special joint committee to study coordination and standardization of homework assignments in grades 1-8 of Tennessee's public school systems and establishment of standards relative to uniform accessibility to Homework Hotlines. by *Jones U (Shelby).

House Education Committee

***House Joint Resolution No. 671** -- Constitutional Amendments - Requires legislature to conduct formation of public policy and decisions in open meetings. by *Beavers, *Black, *Rowland.

House State and Local Government Committee

***House Joint Resolution No. 672** -- General Assembly, Studies - Creates interagency coordinating council to study prevention of hepatitis in prisons, provision of health services to persons with hepatitis in prison, and other related issues. by *Bowers.

House State and Local Government Committee

***House Joint Resolution No. 673** -- Highway Signs - Coopertown, I-24 at Exit 24. by *Davidson.

House Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 7, 2002:

House Resolution No. 200 -- Memorials, Recognition - Rear Admiral Barry C. Black. by *Brooks.

House Resolution No. 201 -- Memorials, Recognition - Lieutenant General John D. Hopper, Jr. by *Brooks.

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House Resolution No. 202 -- Memorials, Recognition - Lee A. "Buddy" Archer, Jr. by *Brooks.

House Resolution No. 203 -- Memorials, Recognition - Greater Imani Church and Christian Center Celebration of African American History Month. by *Brooks.

House Resolution No. 204 -- Memorials, Personal Achievement - Camille Casey, Miss Tennessee Teen All-American 2002. by *Stanley.

House Joint Resolution No. 660 -- Naming and Designating - Designates Columbia Breakfast Rotary Club's annual horseshoe pitching contest as "Tennessee Horseshoe Pitching State Championship.". by *Sands.

House Joint Resolution No. 677 -- Memorials, Personal Occasion - James Ollie and Lydia Mae Hatcher, 60th wedding anniversary. by *McCord, *Bone, *Overbey.

House Joint Resolution No. 678 -- Memorials, Death - Leon "Lee" Crawford Balch. by *Turner (Hamilton).

House Joint Resolution No. 679 -- Memorials, Recognition - Debra Kay Wyatt Hall Kokes. by *Walker, *Curtiss.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 7, 2002:

Senate Joint Resolution No. 538 -- Memorials, Personal Occasion - William Leo and Marianna Cumbee Smith, 60th Wedding Anniversary. by *Kyle.

Senate Joint Resolution No. 519 -- Memorials, Recognition - Scott Brooks and Ashley Brooks. by *Jackson.

Senate Joint Resolution No. 521 -- Memorials, Death - Raymond Wesley Adcock, Sr. by *Cooper J, *Harper.

Senate Joint Resolution No. 522 -- Memorials, Retirement - Gerald F. Nicely. by *Henry, *Harper, *Haynes, *Herron, *Dixon.

Senate Joint Resolution No. 525 -- Memorials, Death - Donald R. Messimer. by *Crowe.

Senate Joint Resolution No. 526 -- Memorials, Death - Ruth R. Broyles. by *Crowe.

INTRODUCTION OF BILLS

On motion, the following bills, previously introduced, passed first consideration:

House Bill No. 2925 -- Taxes, Gasoline, Petroleum Products - Earmarks \$9,600,000 from highway user fuel taxes for 1990 Bridge Grant Program. Amends TCA Section 54-4-505 and Section 67-3-2001. by *Fowlkes.

***House Bill No. 2926** -- Taxes, Gasoline, Petroleum Products - Enacts "Tourism Resources Act." Amends TCA Title 11, Chapter 3, Part 1 and Title 67, Chapter 3, Part 13. by *Ridgeway, *West, *Fowlkes.

House Bill No. 2927 -- Wilson County - Pursuant to local request, authorizes \$500,000 in borrowing by Tenth Special School District in Wilson County. Amends Chapter 330 of the Acts of 1901. by *Bone.

House Bill No. 2928 -- Agriculture - Adds "appearance" to conditions that do not constitute grounds for nuisance action or proceeding against feedlot, dairy farm, or egg production house; defines "appearance". Amends TCA Title 44, Chapter 18. by *Bone.

***House Bill No. 2929** -- Real Property - Requires notice prior to sale of land due to foreclosure by posting notice at courthouse and on Internet, in addition to newspaper publication. Amends TCA Section 35-5-101. by *Lewis.

House Bill No. 2930 -- Business and Commerce - Increases from \$1,000 to \$1,500 minimum civil penalty that may be imposed upon alarm systems contractor who engages in contracting without certification or who violates conditions of certification. Amends TCA Title 62. by *Lewis.

***House Bill No. 2931** -- Taxes, Privilege - Requires grantor or grantor's agent to sign instrument transferring interest in real estate in addition to signature of grantee, grantee's agent, or trustee acting for grantee and state under oath actual consideration or value of transfer for purpose of calculating transfer tax. Amends TCA Title 55 and Title 67. by *Goins.

House Bill No. 2932 -- Criminal Procedure - Clarifies that arresting officer is not required to remain with arrestee throughout booking process once such officer has turned arrestee over to booking officer and signed affidavit verifying arrest, charges, and time of arrest. Amends TCA Title 8 and Title 40. by *Kent.

House Bill No. 2933 -- Criminal Procedure - Provides that post-conviction defender is authorized to represent death-sentenced inmate in clemency proceedings and other ancillary actions necessary to protect constitutional rights of inmate prior to execution. Amends TCA Section 40-30-306. by *Briley, *McMillan.

***House Bill No. 2934** -- Education - Removes intellectually gifted from definition of "child with disabilities" in special education law; transfers funds related to intellectually gifted to special account; and requires commissioner of education to develop plan for intellectually gifted. Amends TCA Section 49-10-102(1)(B). by *Maddox.

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House Bill No. 2935 -- Education - Provides that state board of education shall address quantifiable maximums on number of students with disabilities or special education students in each classroom when setting class size limits. Amends TCA Section 49-1-104. by *McDonald.

House Bill No. 2936 -- Criminal Offenses - Increases from Class A misdemeanor to Class E felony offense of failing to stop when involved in motor vehicle accident resulting in injury or death and from Class E felony to Class D felony if driver who failed to stop knew accident resulted in death. Amends TCA Title 55, Chapter 10, Part 1. by *McDonald.

***House Bill No. 2937** -- State Government - Implements various changes pertaining to governmental fiscal affairs; provides for constitutional referendum and, if approved, limited constitutional convention. Amends TCA Title 9; Title 13; Title 29; Title 56; Title 57; Title 67 and Title 71. by *Sharp.

***House Bill No. 2938** -- Insurance Companies, Agents, Brokers, Policies - Increases minimum civil penalty from not less than \$100 to not less than \$200 for insurance companies transacting business without certificate of authority. Amends TCA Title 50 and Title 56. by *Ferguson.

***House Bill No. 2939** -- Cosmetology - Creates separate license for hair wrapping stylists; specifies required training for hair wrapping stylists. Amends TCA Title 62, Chapter 4, Part 1. by *Montgomery.

***House Bill No. 2940** -- Alcoholic Beverages - Redefines "premier type tourist resort" for purposes of authorizing sale and consumption of alcoholic beverages on premises of Telliquah Resort in Tellico Plains, Monroe County. Amends TCA Section 57-4-102. by *McKee.

House Bill No. 2941 -- Corporations, For Profit - Authorizes health care providers to be co-investors in professional corporation or professional limited liability company. Amends TCA Title 48, Chapter 101, Part 6 and Title 48, Chapter 248. by *Odom.

***House Bill No. 2942** -- Taxes, Sales - Deletes all exemptions and special rates except for isolated sales between persons not regularly engaged in business and medical exemptions; taxes all services, except medical services, for state purposes only not to be taxed under local option act; sets state rate at 3.7 percent. Amends TCA Title 67. by *McKee, *Newton.

House Bill No. 2943 -- Education, Higher - Requires local education agency to reimburse state college and university cost of providing remedial courses to students who enroll within 12 months of their graduation from high school with that LEA. Amends TCA Title 49. by *Cole (Dyer).

***House Bill No. 2944** -- Public Contracts - Establishes prescribed policies, procedures, and penalties restricting use of project labor agreements on public construction projects. Amends TCA Title 12, Chapter 4. by *Cole (Dyer).

House Bill No. 2945 -- Emergency Communications Districts - Restricts imposition of certain emergency telephone service charges under certain circumstances. Amends TCA Section 7-86-108. by *Walker, *Curtiss.

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House Bill No. 2946 -- Taxes, Real Property - Permits owner who purchases property in Shelby County after county board of equalization convenes but prior to December 31 to appeal its assessment directly to state board of equalization by March 1 of year following tax year in question. Amends TCA Title 67. by *Hargett.

***House Bill No. 2947** -- Business and Commerce - Enacts "Electronic Government Services Act." Amends TCA. by *Rinks.

House Bill No. 2948 -- Accountants - Revises appropriation provisions on board of accountancy and administratively transfers board from division of regulatory boards to department of finance and administration. Amends TCA Title 4 and Title 62. by *Rinks.

House Bill No. 2949 -- Accountants - Deletes attorney position from board of accountancy; deletes term of office of executive director of board; authorizes board to make expenditures that are provided in approved budget of board. Amends TCA Title 62, Chapter 1, Part 1. by *Rinks.

House Bill No. 2950 -- Health Care - Prohibits members of health facilities commission from having ex parte contacts with persons concerning commission business and requires disclosure of any attempted contact with commission member. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Rinks.

House Bill No. 2951 -- Hospitals and Health Care Facilities - Changes requirement for vote for effective action of health facilities commission from majority of those present and voting to majority of its members. Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 11, Part 1. by *Rinks.

House Bill No. 2952 -- Hospitals and Health Care Facilities - Reduces number of absences that terminates member of health facilities commission from three to two consecutive absences. Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 11, Part 1. by *Rinks.

***House Bill No. 2953** -- Tennessee Regulatory Authority - Staggers six-year terms of directors on two-year cycles. Amends TCA Title 65, Chapter 1, Part 2. by *Rinks.

House Bill No. 2954 -- Radio and Television - Authorizes certain municipalities operating electric plant to provide cable service within county in which municipality is located under certain circumstances. Amends TCA Section 7-52-601. by *Rinks.

House Bill No. 2955 -- TennCare - Establishes methodology for making essential access payments to hospitals participating in TennCare program. Amends TCA Title 71. by *Rinks.

House Bill No. 2956 -- Financial Responsibility Law - Allows commissioner of safety to issue certificate of self-insurance to recognized religious sect or division. Amends TCA Title 55, Chapter 12, Part 1. by *Rinks, *McDaniel.

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House Bill No. 2957 -- Taxes - Puts into place sales tax rate of 7 percent until July 1, 2002; places tax on services, with revenues from medical services earmarked for TennCare; changes sales tax rate to 4.25 percent and eliminates most exemptions effective July 1, 2002; eliminates all state taxes July 1, 2003. Amends TCA Title 3; Title 4; Title 7; Title 8; Title 9; Title 11; Title 16; Title 18; Title 20; Title 29; Title 30; Title 31; Title 32; Title 35; Title 36; Title 38; Title 39; Title 40; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 60; Title 61; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71. by *Rinks.

House Bill No. 2958 -- Financial Responsibility Law - Pre-empts any governmental subdivision or agency from enacting or enforcing law, ordinance, or resolution that regulates or makes any conduct concerning compliance with financial responsibility law offense, violation, or subject of criminal or civil penalty of any kind. Amends TCA Title 55 and Title 56. by *Rinks.

House Bill No. 2959 -- Hospitals and Health Care Facilities - Limits evidence against nursing homes in tort suits to evidence only from facility where injury occurred. Amends TCA Title 68, Chapter 11, Part 9. by *Rinks.

***House Bill No. 2960** -- Sewage - Modifies certain statutory provisions pertaining to subsurface sewage disposal systems. by *Fitzhugh.

***House Bill No. 2961** -- Boards and Commissions - Adds seven private sector members to board of Tennessee Technology Development Corporation Board. Amends TCA Title 4, Chapter 14. by *Caldwell.

House Bill No. 2962 -- Zoning - Clarifies that right of businesses to continue to operate after zoning change does not include right to increase or enlarge signs. Amends TCA Title 13, Chapter 7, Part 2. by *Caldwell.

House Bill No. 2963 -- Taxes, Real Property - Permits counties and municipalities for purposes of property taxation to defer increases in assessed value due to renovation of older residential properties. Amends TCA Title 67, Chapter 5. by *Caldwell.

House Bill No. 2964 -- Banks and Financial Institutions - Increases penalty for unauthorized money transmitter business from Class E felony to Class D felony with fine not to exceed \$10,000. Amends TCA Title 45, Chapter 7, Part 2. by *Dunn.

***House Bill No. 2965** -- County Government - Requires county attorneys to advise county officials about state and federal laws applicable to officials' duties. Amends TCA Title 5. by *Hargett, *Bunch.

***House Bill No. 2966** -- County Government - Extends time for utilities or carriers engaged in transportation of property to remedy condition of overgrown vegetation or accumulated debris from 20 days to 25 days excluding Saturdays, Sundays, and legal holidays. by *Bunch, *Hargett.

***House Bill No. 2967** -- Deeds - Clarifies definition of value of property for recordation of deed and payment of tax on transfer of property; requires register of deed to record deed based on certain documentation. Amends TCA Title 66, Chapter 24, Part 1 and Section 67-4-409. by *Bunch.

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***House Bill No. 2968** -- Child Custody and Support - Exempts parties divorced before parenting plan legislation was enacted from compliance with parenting plan law, if agreed order as to custody, support, and maintenance of children entered. Amends TCA Title 36, Chapter 6, Part 4. by *Bunch.

***House Bill No. 2969** -- Taxes, Ad Valorem - Increases hours of instruction needed for registration with state board of equalization as tax agent from 120 to 150 and requires agents to pass Tennessee certified assessor examination prior to registration. Amends TCA Section 67-5-1514. by *Hargett.

***House Bill No. 2970** -- Highway Signs - "Louish B. Thompson Bridge" spanning Eagle Creek on S.R. 114 in Wayne County. by *Tidwell, *White, *McDaniel.

***House Bill No. 2971** -- Motor Vehicles - Specifies color of headlights and taillights; prohibits use of lights of non-authorized colors in certain locations. Amends TCA Title 55, Chapter 9. by *Buttry.

***House Bill No. 2972** -- Tort Liability - Clarifies that landowner owes no duty of care to keep such land or premises safe for entry or use by others for recreational activities whether or not such participant paid consideration to landowner. Amends TCA Title 70, Chapter 7, Part 1. by *Newton.

***House Bill No. 2973** -- Radio and Television - Requires local regulations that involve placement, screening, or height of radio antennas based on health, safety, or aesthetic considerations to be crafted to reasonably accommodate amateur communications and to represent minimum practicable regulation to accomplish local authority's legitimate purpose. Amends TCA Title 5, Chapter 7; Title 6, Chapter 54 and Title 13. by *Newton, *Lewis.

***House Bill No. 2974** -- Medical Occupations - Revives and reenacts exemption from licensure requirements granted by Chapter 29, Public Acts of 2001, to emergency medical service providers at major scheduled public events at request of Bristol or Sullivan County. Amends TCA Title 68, Chapter 140, Part 5. by *Godsey.

House Bill No. 2975 -- Bristol - Subject to local approval, makes all council seats at-large. Amends Chapter 84 of the Private Acts of 1991; as amended. by *Godsey, *Mumpower.

House Bill No. 2976 -- Alcoholic Beverages - Requires persons applying for beer permit to submit to criminal history records check by Tennessee bureau of investigation. Amends TCA Section 57-5-103. by *Godsey, *Mumpower.

House Bill No. 2977 -- Alcoholic Beverages - Requires person applying for wholesaler's or retailer's license to submit to criminal history records check to be conducted by Tennessee bureau of investigation. Amends TCA Section 57-3-210. by *Godsey, *Mumpower.

House Bill No. 2978 -- Hazardous Materials - Clarifies and delineates parameters of definition of "costs" relative to removal or abatement of hazardous substances discharges. Amends TCA Section 58-2-604(b)(1)(A). by *Westmoreland.

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House Bill No. 2979 -- Damages - Clarifies procedure for awarding of punitive damages in tort cases; limits punitive damages in tort cases to no more than two times amount of economic damages plus noneconomic damages and in no case amount not to exceed \$750,000. by *Westmoreland.

House Bill No. 2980 -- Chiropractors - Revises scope of practice. Amends TCA Title 63, Chapter 4, Part 1. by *Odom, *Jones, S..

House Bill No. 2981 -- Medical Occupations - Authorizes chiropractic physicians to submit written request to medical laboratory for tests appropriate to professional's practice and to have result of test reported directly to chiropractic physician. Amends TCA Section 68-29-121. by *Odom, *Jones, S., *Armstrong.

***House Bill No. 2982** -- Insurance Companies, Agents, Brokers, Policies - Allows mergers of 85 percent owned subsidiaries of insurance companies with owner company without shareholder approval; old law required 90 percent ownership. by *Davis (Cocke).

House Bill No. 2983 -- TennCare - Requires state to make full payment to health care providers not fully compensated for care provided to TennCare enrollees by insolvent health insurer, HMO, PPO, or other entity under contract with state to provide such care. Amends TCA Title 71, Chapter 5. by *McKee, *Walker .

House Bill No. 2984 -- Education - Provides for employment through RFP process of construction manager for school construction projects. Amends TCA Section 49-2-203. by *Ford S, *Patton, *Givens, *Boyer, *McDaniel, *Davidson.

***House Bill No. 2985** -- Highways, Roads and Bridges - Revises requirements for commissioner of transportation to reimburse utilities owned by certain business organizations, utility districts, or by local governments for reasonable costs associated with utility relocations necessitated by construction on state highways in certain circumstances. Amends TCA Title 54, Chapter 5, Part 8. by *Wood.

***House Bill No. 2986** -- Taxes - Provides that taxpayer confidentiality requirements and disclosure limitations apply to electronically filed returns. Amends TCA Title 55, Chapter 67. by *Ford S.

House Bill No. 2987 -- Taxes, Privilege - Provides for additional taxation on privilege of operating motor vehicles in Tennessee. Amends TCA Title 55 and Title 67. by *McDaniel.

***House Bill No. 2988** -- Taxes - Provides that taxpayer confidentiality requirements and disclosure limitations apply to electronically filed returns. Amends TCA Title 55 and Title 67. by *McDaniel.

***House Bill No. 2989** -- Child Custody and Support - Extends offense of custodial interference to address situations in which child is born out of wedlock and mother possesses custody of child pursuant to Section 36-2-303. Amends TCA Section 39-13-306. by *Scroggs.

***House Bill No. 2990** -- Courts, Juvenile - Provides that juvenile court retains jurisdiction over placement of child including, but not limited to, foster care, residential, treatment, or program placements of child. Amends TCA Title 37, Chapter 1. by *Scroggs.

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***House Bill No. 2991** -- Appropriations - Appropriates sum sufficient to fund lease/contract between state and Tennessee FFA Association for operation of Camp Clements. by *Maddox, *Caldwell, *Patton, *Pinion, *Davidson, *Sands, *Shepard, *Bone, *Jones, S., *Hargrove, *Fitzhugh, *Head, *Givens, *Tidwell, *Mumpower, *Davis (Washington), *McKee, *Newton.

***House Bill No. 2992** -- State Employees - Changes minimum state contribution to state employees' health insurance from 60 percent of premiums to 80 percent. Amends TCA Section 8-27-201. by *Head.

***House Bill No. 2993** -- Solid Waste Disposal - Prohibits, in metropolitan counties, location of solid waste disposal facilities or sites in areas in which only means of access is through certain residential neighborhoods. Amends TCA Title 68, Chapter 211, Part 1. by *Turner (Davidson).

House Bill No. 2994 -- Zoning - Clarifies that right of businesses to continue to operate after zoning change does not include right to increase or enlarge signs or billboards. Amends TCA Title 13, Chapter 7, Part 2. by *Roach, *McKee.

***House Bill No. 2995** -- Taxes, Privilege - Creates 1 percent privilege tax on enumerated occupations, capped at \$300. Amends TCA Title 67, Chapter 4. by *Brown.

***House Bill No. 2996** -- Water - Requires governing body creating authority or private developer to submit plans for water development in rural areas to commissioner of environment and conservation prior to finalizing such plans to insure compliance with all state and federal laws. Amends TCA Title 7; Title 64 and Title 69. by *McDonald, *Newton, *Bone, *Fowlkes, *Casada.

***House Bill No. 2997** -- Taxes, Sales - Changes from 90 to 60 days period of time in which dealer may adjust current sales tax report for taxes refunded to customers. Amends TCA Title 67, Chapter 6. by *McDonald, *Davidson.

House Bill No. 2998 -- Sumner County - Subject to local approval, creates county Financial Management System. by *McDonald, *Black.

House Bill No. 2999 -- Sumner County - Subject to local approval, creates county Financial Management System. by *McDonald, *Black.

***House Bill No. 3000** -- Planning, Public - Requires municipal planning commission appointments made by mayor to be made with concurrence of legislative body. Amends TCA Title 13, Chapter 4, Part 1. by *Todd.

House Bill No. 3001 -- Criminal Procedure - Requires electronic recording of custodial interrogations of criminal defendants. Amends TCA Title 40. by *Buck, *McMillan, *Sands, *Briley, *Scroggs, *Newton, *Windle.

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House Bill No. 3002 -- TennCare - Assesses insurance companies and HMOs for certain costs related to uninsurables; adds Medicaid specific conflict of interest statute; raises taxes on tobacco and alcoholic beverages and dedicates revenue to TennCare; and requires TennCare bureau to contract with another state agency to do eligibility determinations for expansion population. Amends TCA Title 12; Title 56; Title 57; Title 67 and Title 71. by *Scroggs.

House Bill No. 3003 -- Jefferson County - Requires election of commissioners for water utility districts in Jefferson County. Amends TCA Section 7-82-307. by *Roach.

***House Bill No. 3004** -- Taxes, Sales - Broadens motor vehicle exemption for purchase by member of armed forces assigned, or stationed, to location within, or partially within, state. Amends TCA Section 67-6-303. by *Todd.

***House Bill No. 3005** -- Juvenile Offenders - Requires juvenile judge to suspend driving privileges of juvenile who violates tobacco product possession prohibition second or subsequent time until juvenile has paid fine in full and completed required community service work. Amends TCA Title 39, Chapter 17, Part 15. by *Roach.

House Bill No. 3006 -- Welfare - Clarifies hold harmless provision in medical assistance law. Amends TCA Title 71. by *Head.

House Bill No. 3007 -- Insurance, Health, Accident - Clarifies power of HMO to contract marketing, enrollment, and administrative functions. Amends TCA Title 56. by *Head.

***House Bill No. 3008** -- Bond Issues - Provides for issuance of up to \$200,000,000 in bonds for capital improvements and capital maintenance at state institutions of higher education. by *Head.

House Bill No. 3009 -- Motor Vehicles - Authorizes closed circuit video monitors designed to operate in conjunction with dedicated video cameras to be used in motor vehicles. Amends TCA Section 55-9-105. by *Ridgeway, *White, *Fraleigh, *Hood, *Rowland.

***House Bill No. 3010** -- Taxes, Real Property - Broadens exemption from ad valorem taxation for housing for low-income elderly or handicapped to include properties financed under McKinney-Vento Homeless Assistance Act and HOME Investment Partnerships Program. Amends TCA Section 67-5-207. by *Arriola.

***House Bill No. 3011** -- Education, Higher - Provides for annual joint meetings of Tennessee higher education commission, state board of regents, and University of Tennessee board of trustees; also provides for publicizing BEST Act. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8, Part 1; Title 49, Chapter 8, Part 2; Title 49, Chapter 9, Part 1 and Title 49, Chapter 9, Part 2. by *Winningham.

***House Bill No. 3012** -- Education, Dept. of - Revises obsolete language on teacher in-service training requirements. Amends TCA Title 49, Chapter 2. by *Windle.

House Bill No. 3013 -- Taxes, Sales - Imposes sales tax on charges for mobile telecommunication services subject to federal sourcing rules if customer's place of primary use is located in Tennessee. Amends TCA Section 7-86-108 and Title 67, Chapter 6. by *Kisber.

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***House Bill No. 3014** -- Taxes, Privilege - Revises procedure for calculating recordation tax due on secured property located partially in and partially outside Tennessee. Amends TCA Section 67-4-409. by *Kisber.

***House Bill No. 3015** -- Aged Persons - Directs commission on aging to initiate outreach program to assist elderly Tennesseans to obtain, at minimal or no cost, prescription drugs from pharmaceutical manufacturers' programs, prescribed prescription discount cards, and coverage for prescribed drugs if eligible for certain government programs, including TennCare. Amends TCA Title 71, Chapter 2. by *Kisber.

House Bill No. 3016 -- Public Funds and Financing - Requires, in regard to local government investment pool, that state generally, instead of state treasurer, keep separate accounts of, and report monthly to, each participant; provides that administrative charge collected by treasurer is to be deposited in revolving account; specifies that funds in pool are to be consolidated with funds in pooled investment fund; removes requirement that interest be credited to local government investment pool. Amends TCA sections 9-4-704 and 9-4-603. by *Kisber.

***House Bill No. 3017** -- Hospitals and Health Care Facilities - Makes certain changes with regard to composition of health facilities commission; extends commission for certain period; provides for study group. Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 11, Part 1. by *Kisber.

House Bill No. 3018 -- Safety, Dept. of - Requires commissioner to update periodically listing of employees authorized to exercise functions of notary public. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3; Title 4, Chapter 4; Title 4, Chapter 7; Title 49, Chapter 1 and Title 55. by *Davidson.

***House Bill No. 3019** -- Railroads - Prohibits railroad companies from obstructing public highways or streets by stopping and permitting trains, engines, or cars to stand upon public grade crossings; establishes civil penalty for violations thereof. Amends TCA Title 65, Chapter 11. by *Sands.

***House Bill No. 3020** -- Firearms and Ammunition - Adds state or county magistrates to list of officials who may carry handgun pursuant to written directive and adds such magistrates to list of officials whose title provides them with defense to offense of unlawful carrying or possession of weapon. Amends TCA Title 39, Chapter 17, Part 13. by *Buck.

***House Bill No. 3021** -- Bail, Bail Bonds - Requires defendant appealing criminal sentence, placed on diversion, probation, community correction or fined to execute new bond or recognizance even if original bond has not yet terminated. Amends TCA Title 40, Chapter 11, Part 1. by *Buck.

***House Bill No. 3022** -- Bail, Bail Bonds - Requires new bail be posted upon appeal of conviction for criminal offense. Amends TCA Section 40-11-130. by *Buck.

***House Bill No. 3023** -- Taxes, Sales - Authorizes local option increase from 2.75 percent to 3.5 percent. Amends TCA Section 67-6-702. by *Buck.

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House Bill No. 3024 -- Revenue, Dept. of - Authorizes commissioner to obtain criminal records information from U.S. department of justice for applicants for employment with department of revenue. Amends TCA Title 4, Chapter 29; Title 4, Chapter 3; Title 4, Chapter 4; Title 57 and Title 67. by *Buck.

***House Bill No. 3025** -- Taxes - Provides that taxpayer confidentiality requirements and disclosure limitations apply to electronically filed returns. Amends TCA Title 67. by *Kisber.

***House Bill No. 3026** -- Lottery - Enacts "Tennessee Lottery For the Support of Education Act of 2002". Amends TCA Title 4 and Title 39, Chapter 17, Part 5. by *Miller L, *Jones U (Shelby), *Armstrong.

***House Bill No. 3027** -- Victims' Rights - Increases criminal injuries compensation limits; expands reimbursable expenses; allows claims for subsequent hearings. Amends TCA Title 29, Chapter 13, Part 1. by *Kisber.

House Bill No. 3028 -- Taxes, Sales - Imposes sales tax on charges for mobile telecommunication services subject to federal sourcing rules if customer's place of primary use is located in Tennessee. Amends TCA Section 7-86-108 and Title 67, Chapter 6. by *Kisber.

***House Bill No. 3029** -- Attorney General and Reporter - Authorizes attorney general and reporter to conduct investigation into specific proceeding of criminal justice system upon receipt of credible evidence of impropriety or irregularity in proceeding or that it is being conducted in contravention of laws or constitution. Amends TCA Title 8; Title 38; Title 39; Title 40 and Title 41. by *Buck, *Shepard.

***House Bill No. 3030** -- Education - Allows president, or designee, of local education association to attend school board meetings as advisory, non-voting member. Amends TCA Section 49-2-202. by *Shepard, *Tidwell.

House Bill No. 3031 -- Dickson County - Subject to local approval, decreases county highway commission from 12 to six members. Amends Chapter 32 of the Private Acts of 1969; as amended. by *Shepard, *Ridgeway.

***House Bill No. 3032** -- DUI/DWI Offenses - Deletes provision requiring that portion of DUI fines be returned to sheriff or chief administrative officer of county jail for purpose of reimbursing such sheriff or officer for cost of incarcerating defendant. Amends TCA Section 55-10-403. by *Maddox.

House Bill No. 3033 -- Criminal Procedure - Clarifies that municipality that does not maintain jail facilities and transfers custody of its arrestees to sheriff of county in which such municipality is located shall not be required to pay fee for taking or transmitting of fingerprints by sheriff. Amends TCA Title 8; Title 38 and Title 39. by *Buck, *Maddox.

House Bill No. 3034 -- Election Laws - Requires write-in candidate in primary election to receive total number of votes equal to at least 5 percent of registered voters in district to receive party nomination; requires person trying to receive party nomination by write-in ballots to complete notice requesting such person's ballots be counted no later than 30 days before primary election. Amends TCA Title 2. by *Jones U (Shelby).

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House Bill No. 3035 -- Campaigns and Campaign Finance - Increases multicandidate political campaign committee aggregate contribution limit for any local office and any state office not elected by statewide election; amount of increase to be 5 percent each year since amount was last increased; requires registry of election finance to publish increased amount on its Web site. Amends TCA Title 2, Chapter 10. by *Jones U (Shelby).

***House Bill No. 3036** -- Probation and Parole - Authorizes judge to utilize services of private entity providing misdemeanor probation services, if probation is appropriate and defendant was convicted of Class D or E felony. Amends TCA Title 40, Chapter 35. by *Jones U (Shelby).

House Bill No. 3037 -- Alcoholic Beverages - Redefines "premier type tourist resort" for purposes of authorization of sales and consumption of alcoholic beverages. Amends TCA Section 57-4-102(17). by *Jones U (Shelby).

***House Bill No. 3038** -- AIDS, HIV and STDs - Requires person convicted of patronizing prostitution to submit to and pay for HIV test; applies same requirements which presently apply to person convicted of prostitution. Amends TCA Section 39-13-521. by *Jones U (Shelby).

House Bill No. 3039 -- Education - Provides that institutions offering professional education programs are eligible for department of education certification if accredited by agency recognized by U.S. department of education and Council on Higher Education Accreditation. Amends TCA Title 49, Chapter 1, Parts 2 and 3, and Chapter 5, Part 56. by *Wood.

House Bill No. 3040 -- Taxes - Creates Volunteer Tax Fund as repository for voluntary contributions to support operations of state government. by *Beavers.

House Bill No. 3041 -- Traffic Safety - Requires driver and passenger of motorcycle, motorized bicycle, or motor-driven cycle to wear "motorcycle helmet" instead of "crash helmet"; exempts persons 21 years old and older from such requirement. Amends TCA Section 55-9-302. by *Beavers.

House Bill No. 3042 -- Psychologists - Authorizes certain psychologists to prescribe drugs. Amends TCA Title 11; Title 39; Title 53 and Title 63. by *Bowers.

House Bill No. 3043 -- Insurance, Health, Accident - Revises requirements concerning utilization review of mental illness and chemical dependency treatment. Amends TCA Title 56. by *Shepard.

House Bill No. 3044 -- Professions and Occupations - Adds licensed senior psychological examiners and certified psychological assistants to list of persons allowed to advertise services and persons bound to keep client communications confidential; prohibits employee assistance professionals from practicing as licensed senior psychological examiners and certified psychological assistants. Amends TCA Title 62. by *Odom.

House Bill No. 3045 -- Taxes, Ad Valorem - Prohibits agent registered with state board of equalization from performing services related to property tax appeals for clients of agent's employer unless employer or employer's principal officer or partner is also agent registered with state board of equalization. Amends TCA Section 67-5-1514. by *DeBerry L.

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***House Bill No. 3046** -- Taxes - Enacts "Tax Reform Act of 2002." Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Armstrong, *DeBerry L, *Bowers, *Miller L, *Jones U (Shelby).

House Bill No. 3047 -- Utilities, Utility Districts - Establishes guidelines and rates for utility pole attachments. Amends TCA Title 65, Chapter 21, Part 1. by *Head.

***House Bill No. 3048** -- State Employees - Grants administrative leave to state employees to perform duties as directors of certain employee associations. Amends TCA Section 8-50-109. by *Jones U (Shelby), *Langster, *DeBerry J, *Turner (Shelby), *Chumney, *Bowers.

House Bill No. 3049 -- Taxes, Real Property - Defines "low income housing property"; establishes classification and taxing of low income housing property. by *Bowers, *Briley.

House Bill No. 3050 -- Taxes, Exemption - Exempts entities providing affordable housing through federal low-income housing tax-credit programs from payment of franchise and excise taxes. Amends TCA Title 67. by *Bowers, *Briley.

***House Bill No. 3051** -- Real Estate Agents and Brokers - Requires brokers to forward license renewal applications and fees of affiliated brokers if broker is obligated by contract to do so or if affiliate provides application and fee to broker for such purpose. Amends TCA Title 62, Chapter 13. by *Shaw.

***House Bill No. 3052** -- Nurses, Nursing - Establishes advanced practice nurses as nurses with master's degree or higher in nursing specialty and national specialty certification. Amends TCA Section 63-1-132; Section 63-7-106; Section 63-7-123 and Section 63-7-207. by *Black.

House Bill No. 3053 -- Physicians and Surgeons - Prohibits advertising by health care provider or other person or entity that person is physician; imposes criminal penalties and authorizes injunctive relief by board of medical examiners. Amends TCA Title 63. by *Westmoreland.

House Bill No. 3054 -- Managed Care Organizations - Establishes uniform referral and preauthorization form requirements for MCOs. Amends TCA Title 56. by *Fitzhugh.

House Bill No. 3055 -- Managed Care Organizations - Establishes procedures and requirements for MCOs to use with health care providers for downcoding and bundling. Amends TCA Title 56, Chapter 7, Part 10. by *Hargett.

House Bill No. 3056 -- Medical Occupations - Requires licensees to notify their boards of changes in business address within 14 days or be subject to disciplinary action. Amends TCA Title 63. by *Arriola.

House Bill No. 3057 -- Health, Dept. of - Requires Tennessee EMS board to report to commissioner as to need to create separate fire-based EMS board. Amends TCA Title 68, Chapter 140. by *Jones, S., *Turner (Davidson), *Pleasant, *Miller L, *Jones U (Shelby).

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House Bill No. 3058 -- Firefighters - Imposes premium surcharges on certain health insurance policies to fund pay supplements for firefighters and to fund firefighting facilities. Amends TCA Title 4, Chapter 24 and Title 56. by *Jones, S., *Turner (Davidson), *Pleasant, *Miller L., *Jones U (Shelby).

House Bill No. 3059 -- Pensions and Retirement Benefits - Requires TCRS to report annually to council on pensions and insurance number of firefighters and police officers who were members of retirement system and who died in line of duty. Amends TCA Title 8, Chapters 34 through 39. by *Jones, S., *Turner (Davidson), *Pleasant, *Miller L., *Jones U (Shelby).

House Bill No. 3060 -- Juries and Jurors - Exempts full-time firefighters and law enforcement officers from jury duty. Amends TCA Section 22-1-103. by *Jones, S., *Turner (Davidson), *Pleasant, *Miller L., *Jones U (Shelby).

***House Bill No. 3061** -- District Attorneys - Allows state treasurer to award grant from criminal injuries compensation fund to district attorneys general conference for operation of any program instead of solely domestic violence and drug enforcement program operations. Amends TCA Title 29, Chapter 13; Title 40 and Title 67. by *McMillan.

House Bill No. 3062 -- Environmental Preservation - Eliminates requirements for public hearings in each grand division relative to expenditures from hazardous waste remedial action fund, toll-free telephone number to receive citizens' calls relative to such fund, and yearly written reports from commissioner to general assembly. Amends TCA Title 68, Chapter 212. by *Curtiss.

House Bill No. 3063 -- Motor Vehicles - Specifies that consumers will not have to pay warranty work that is reported before warranty expires but is completed subsequent to expiration of warranty. Amends TCA Title 47, Chapter 18 and Title 55, Chapter 24. by *Curtiss.

House Bill No. 3064 -- Pensions and Retirement Benefits - Requires TCRS to report annually to council on pensions and insurance number of firefighters and police officers who retired as result of reaching mandatory age for retirement. Amends TCA Title 8, Chapters 34 through 39. by *Jones, S., *Turner (Davidson), *Pleasant, *Miller L., *Jones U (Shelby).

House Bill No. 3065 -- Criminal Procedure - Allows any court of record that has found defendant to be indigent to hold hearing in open court to determine that investigative or expert services are necessary to ensure constitutional rights of defendant are protected. Amends TCA Title 40. by *Buck, *Newton, *Boyer, *Scroggs, *McDonald.

House Bill No. 3066 -- Highways, Roads and Bridges - Prohibits clear-cutting within 50 feet of highway right of way. Amends TCA Title 54. by *Patton.

***House Bill No. 3067** -- Military - Authorizes commander in chief to set amount patrons must donate to national guard for recognition as friend of national guard and must report amount set pursuant to act to comptroller. Amends TCA Title 58. by *Patton.

***House Bill No. 3068** -- Criminal Procedure - Specifies that petitioner seeking post-conviction relief as result of plea agreement is deemed to have waived all issues known to petitioner at time of plea unless reserved by petitioner. Amends TCA Title 40, Chapter 30. by *Buck, *Newton, *Boyer, *Scroggs, *McDonald.

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***House Bill No. 3069** -- Taxes - Gives credit against excise and franchise tax liability equal to 15 percent of amount taxpayer spent during any income year directly on research and experimental expenditures. Amends Tennessee Code Annotated, Title 67, Chapter 4. by *Stanley.

***House Bill No. 3070** -- Municipal Government - Deletes requirement that municipalities publish proposed operating budget and budgetary comparison of proposed budget and prior and current year's budgets. Amends TCA Title 6; Title 7; Title 9; Title 12; Title 13; Title 16; Title 29; Title 30; Title 54; Title 55; Title 67 and Title 68. by *Tindell.

***House Bill No. 3071** -- Law Enforcement - Requires local law enforcement agencies to be reimbursed by state for cost of submitting uniform crime reports, in-service training and for enforcing certain moving violations and motor vehicle accidents within municipalities. Amends TCA Title 38; Title 55 and Title 58. by *Tindell.

***House Bill No. 3072** -- State Government - Provides for elimination of state departments, transfer of reserve funds to general fund, freezing of state shared taxes at 2001-2002 level, reversion of medical assistance eligibility to Medicaid standards, and other budget balancing measures. by *Kisber.

***House Bill No. 3073** -- Public Funds and Financing - Establishes procedure for investing bond proceeds in guaranteed investment contracts. Amends TCA Titles 5, 6, 9, and 12. by *Kisber.

House Bill No. 3074 -- Public Utilities - Increases time before election that legislative body shall direct question of whether municipal electric system may provide additional services to be placed on ballot from not less than 60 days before general election to not less than 90 days before general election. Amends TCA Title 7, Chapter 52. by *Stanley.

***House Bill No. 3075** -- Sewage - Modifies certain provisions within pilot project study on advanced treatment systems. Amends TCA Title 68, Chapter 221, Part 4. by *Arriola.

***House Bill No. 3076** -- TennCare - Enacts "Children First Insurance Plan Act." Amends TCA Title 49; Title 56; Title 68 and Title 71. by *Arriola.

***House Bill No. 3077** -- Budget Procedures - Changes deadline for governor's submission of budget to general assembly from February 1 to February 8 each year. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 54; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Fitzhugh.

House Bill No. 3078 -- Highway Signs - "Doctor M.B. Feemster Memorial Bridge", bridge spanning Wolf River on S.R. 57 in Fayette County. by *Fitzhugh.

House Bill No. 3079 -- Alcoholic Beverages - Authorizes motor speedway located in Shelby County to serve alcoholic beverages for consumption on premises. Amends TCA Title 57, Chapter 4. by *Miller L.

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House Bill No. 3080 -- Taxes, Real Property - Permits owner who purchases property after county board of equalization convenes but prior to December 31 to appeal its assessment directly to state board of equalization by March 1 of year following tax year in question. Amends TCA Title 67. by *Miller L.

***House Bill No. 3081** -- Insurance Companies, Agents, Brokers, Policies - Removes provision requiring that all moneys on hand in fire prevention division at end of each fiscal year be turned in to general fund. Amends TCA Title 68, Chapter 102. by *Phillips.

***House Bill No. 3082** -- Pensions and Retirement Benefits - Allows Group 1 TCRS members to retire on basis of five highest years of compensation rather than five consecutive years of highest compensation; allows recomputation of current retiree's benefits. Amends TCA Section 8-34-101. by *Winningham.

***House Bill No. 3083** -- Education - Provides that only amendments to LEA budget which employ additional personnel have to be submitted to both state department of education and local funding body for approval. Amends TCA Section 49-3-316. by *Winningham.

***House Bill No. 3084** -- Unemployment Compensation - Denies unemployment compensation benefits to retired teachers employed by LEAs under 100-day contracts. Amends TCA Section 50-7-303. by *Winningham.

***House Bill No. 3085** -- County Officers - Revises duties of county trustees to include depositing into county general school fund all interest income earned on investments of county school funds. Amends TCA Section 49-2-103. by *Winningham.

House Bill No. 3086 -- Highways, Roads and Bridges - Designates certain segments of roadway in Hamilton County as scenic highways, including portions of state routes 58 and 148. Amends TCA Title 54, Chapter 17, Part 1. by *Clem.

House Bill No. 3087 -- Teachers, Principals and School Personnel - Allows any education professionals' organization, not just representatives of organization which represents them, access to education professionals during working hours. Amends TCA Section 49-5-609(a)(4). by *McCord.

House Bill No. 3088 -- Law Enforcement - Deletes requisite that as part of their continuing training requirements law enforcement officers receive training on investigation and handling of cases of sudden unexplained child death. Amends TCA Section 68-1-1102. by *Caldwell.

House Bill No. 3089 -- Environment and Conservation, Department of - Abolishes Tennessee Environmental Protection Fund. Amends TCA Title 68. by *Garrett.

House Bill No. 3090 -- Courts - Creates cyber court for purpose of adjudicating business and commercial transactions using advanced technology. Amends TCA Title 16. by *Newton, *Patton.

***House Bill No. 3091** -- Metropolitan Government - Prohibits metropolitan governments from reducing pay of disabled employees based upon earnings and benefits derived from sources other than metropolitan government. Amends TCA Title 7, Chapter 3 and Title 7, Chapter 51. by *West.

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***House Bill No. 3092** -- Fire Prevention and Investigation - Requires director of fire investigations to be certified by state to conduct fire safety inspections or to enforce building codes within local government's jurisdiction; requires annual report by fire marshal to governor, speaker of house, and speaker of senate. Amends TCA Title 68, Chapter 102. by *West.

House Bill No. 3093 -- Teachers, Principals and School Personnel - Deletes disregarding TEA code of ethics as reason for disciplining teachers under tenure law. Amends TCA Section 49-5-501. by *McCord.

House Bill No. 3094 -- Teachers, Principals and School Personnel - Removes TCRS board of trustees members elected by members of Tennessee Education Association; replaces them with members appointed by senate House Education Committee. Amends TCA Section 8-34-302(a)(9)(A). by *McCord.

House Bill No. 3095 -- Textbooks - Revises provisions on professional teacher organizations to whom notice of state textbook commission meetings are given. Amends TCA Section 49-6-2201(i)(5). by *McCord.

***House Bill No. 3096** -- Municipal Government - Increases time in which county election commission must call election to choose municipal officials from not less than 40 days nor more than 50 days to not less than 45 days nor more than 60 days following election for surrender of charter. Amends TCA Title 6. by *McCord.

***House Bill No. 3097** -- Game and Fish Laws - Raises value amount for protected wildlife from \$500 to \$750 for possession and trafficking felony penalty. Amends TCA Title 70. by *McCord.

House Bill No. 3098 -- Criminal Offenses - Creates Class E felony for knowing and willful commission of any discriminatory conduct prohibited by Human Rights Act, if committed on second or subsequent occasion. Amends TCA Section 39-17-309. by *McCord.

House Bill No. 3099 -- Human Rights - Establishes discrimination against individuals for wearing insignia, patches, specialized clothing, tattoos, earrings, beards or jewelry as discriminatory practice under human rights law. Amends TCA Title 4, Chapter 21. by *McCord.

House Bill No. 3100 -- Motor Vehicles - Enacts "Tennessee Off-Highway Motor Vehicle Act." Amends TCA Title 55 and Title 70. by *McCord.

***House Bill No. 3101** -- Alcoholic Beverages - Clarifies definition of phrase "on the same location" for purpose of previously existing beer permits. Amends TCA Section 57-5-109. by *Pruitt.

***House Bill No. 3102** -- Education, Higher - Requires board of regents and University of Tennessee board of trustees to include 25 percent of value of employee's sick leave at time of retirement in funding for annuities. Amends TCA Title 8, Chapter 34, Part 6; Title 8, Chapter 36; Title 49, Chapter 9, Part 1; Title 49, Chapter 8, Part 1 and Title 49, Chapter 8, Part 2. by *Patton.

***House Bill No. 3103** -- Campaigns and Campaign Finance - Allows candidate to provide for allocation of unexpended balance of contributions in campaign account through such candidate's will. Amends TCA Section 2-10-114. by *Kisber.

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***House Bill No. 3104** -- Constitutional Conventions - Requires referendum on question of calling constitutional convention in 2004 on issues of taxation, state investments, county officers and county government, consolidation of counties and creation of new counties, consolidation of municipal and county functions, and education. by *Rinks.

House Bill No. 3105 -- Taxes, Ad Valorem - Increases penalty imposed for expenses of prosecuting suits for delinquent property taxes from 10 percent to 20 percent in Knox County. Amends TCA Title 67, Chapter 5, Part 24. by *Tindell, *Buttry.

House Bill No. 3106 -- Historical Sites and Preservation - Authorizes historic zoning commissions to impose fine up to \$10,000 for certain violations. Amends TCA Section 13-7-407. by *Armstrong.

House Bill No. 3107 -- Historical Sites and Preservation - Authorizes historic zoning commissions to impose financial penalties for certain violations. Amends TCA Section 13-7-407. by *Armstrong, *Tindell.

House Bill No. 3108 -- Damages - Authorizes collection of municipality's actual costs resulting from hoax or threat involving biological weapon, destructive device, or weapon of mass destruction. Amends TCA Title 6, Chapter 54, Part 3. by *Boyer.

House Bill No. 3109 -- Municipal Government - Allows home rule municipalities to collect actual administrative expenses incurred as result of false threat or hoax involving biological weapons, destructive devices, or weapons of mass destruction if such municipality has adopted ordinance to prohibit such threat or hoax. Amends TCA Title 6, Chapter 54, Part 3. by *Boyer, *Tindell, *Armstrong.

House Bill No. 3110 -- Municipal Government - Permits municipality to lease or sublease property owned or leased by municipality to nonprofit organizations for term not to exceed 10 years if such property is not needed for municipal purposes; any lease or sublease entered into shall require approval of municipal legislative body; comptroller of treasury may establish guidelines for such leases or subleases. Amends TCA Title 6, Chapter 54. by *Buttry.

House Bill No. 3111 -- Fiduciaries - Enacts "Tennessee Uniform Prudent Investor act of 2002." Amends TCA Title 35. by *Fowlkes, *Fitzhugh, *Sands, *Scroggs, *Davidson, *McDaniel, *Tindell, *Langster.

House Bill No. 3112 -- Real Property - Deletes fraudulent conveyances and devises provisions in their entirety and adopts Uniform Fraudulent Transfer Act. Amends TCA Title 66. by *Fowlkes, *Fitzhugh, *Sands, *Scroggs, *Davidson, *McDaniel, *Tindell, *Langster.

House Bill No. 3113 -- Trusts - Increases from 10 to 20 days amount of notice court shall give beneficiaries, unless waived, regarding resignation of trustees. Amends TCA Title 30; Title 31; Title 32; Title 34 and Title 35. by *Fowlkes, *Fitzhugh, *Sands, *Scroggs, *Davidson, *McDaniel, *Tindell, *Langster.

House Bill No. 3114 -- State Employees - Alters state contribution rate for supplemental medical insurance for retired state employees and teachers. Amends TCA Section 8-27-702. by *Kisber.

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***House Bill No. 3115** -- Taxes, Income - Enacts "Revenue Act of 2002." Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 54; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Head.

***House Bill No. 3116** -- Budget Procedures - Authorizes general assembly to transfer funds from various reserve funds for use for other purposes. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 13; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 54; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Head.

***House Bill No. 3117** -- Hospitals and Health Care Facilities - Exempts beds within inactive nursing homes from nursing home tax; provides for prorata taxation of such beds based on length of time that such nursing home was inactive. Amends TCA Title 68, Chapter 11, Part 2. by *Buck.

***House Bill No. 3118** -- Zoning - Provides that outdoor advertising signage does not constitute industrial, commercial, or business establishment for purposes of certain statutory restrictions currently placed on zoning enforcement powers of municipalities. Amends TCA Section 13-7-208. by *Buck.

***House Bill No. 3119** -- Wills - Modifies current statutory language to ensure that circuit courts actually exercise concurrent jurisdiction, with courts of record having probate jurisdiction, to conduct trials upon validity of wills. Amends TCA Title 32, Chapter 4, Part 1. by *Buck.

House Bill No. 3120 -- Nurses, Nursing - Enacts "Interstate Nurse Licensure Compact." Amends TCA Title 63, Chapter 7. by *Armstrong, *DeBerry J, *Jones, S., *Patton, *Johnson, *Ferguson, *Pruitt.

House Bill No. 3121 -- Public Health - Revises requirements for tanning facilities; requires customers to sign statement and facilities to post warning signs concerning ultraviolet radiation. Amends TCA Title 68, Chapter 117. by *Armstrong, *DeBerry J, *Jones, S., *Patton, *Johnson, *Ferguson, *Pruitt.

House Bill No. 3122 -- Aged Persons - Permits reimbursement of assistive community care services in private non-medical institutions if approved as part of state Medicaid plan. Amends TCA Title 68 and Title 71. by *Armstrong, *DeBerry J, *Patton, *Ferguson, *Pruitt.

***House Bill No. 3123** -- Eminent Domain - Limits landowner remedy in suit by landowner against condemnor to just compensation only and explicitly excludes tort damages. Amends TCA Section 29-16-123. by *Armstrong.

House Bill No. 3124 -- Motor Vehicles - Increases fee insurance companies pay to obtain vehicle accident report and earmarks funds raised by increase for highway patrol retirement and for driver testing center improvement. Amends TCA Title 8 and Title 55. by *Armstrong, *Ridgeway, *White.

***House Bill No. 3125** -- Gambling - Exempts pinball machines manufactured before 1980 from prohibition against gambling. Amends TCA Title 39, Chapter 17. by *Armstrong.

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House Bill No. 3126 -- Open Meetings - Authorizes electronic posting of public notice concerning certain meetings of governmental bodies. Amends TCA. by *Clem.

***House Bill No. 3127** -- Newspapers and Publications - Authorizes, under certain circumstances, publication of certain legal notices by means of electronically published newspapers. Amends TCA Title 30, Chapter 2 and Title 67, Chapter 5. by *Clem.

***House Bill No. 3128** -- Game and Fish Laws - Allows any person applying for hunting and fishing license as disabled veteran to have exemption from license fee whether application was entered before or after May 24, 2000. Amends TCA Title 70, Chapter 2. by *McCord, *Overbey.

***House Bill No. 3129** -- Tourism - Enacts "Tourism Resources Act." Amends TCA Title 4, Chapter 3, Part 23; Title 11, Chapter 3, Part 1 and Title 67, Chapter 3, Part 13. by *Ridgeway.

***House Bill No. 3130** -- Motor Vehicles, Titling and Registration - Extends re-issuance moratorium on specialty license plates deemed obsolete and invalid after July 1, 2002, from three to five years. Amends TCA Title 55, Chapter 4. by *Ridgeway.

House Bill No. 3131 -- Taxes, Real Property - Grants property tax relief to disabled veterans who are determined to be legally blind by U.S. veterans' administration instead of totally blind. by *Ridgeway.

***House Bill No. 3132** -- Courts, Administrative Office of the - Clarifies cases to be "counted" and "reported" by AOC; clarifies that Tennessee court information system is to report court cases instead of count them. by *White.

***House Bill No. 3133** -- Sexual Offenses - Rewrites mandatory child abuse reporting provisions and child sexual abuse provisions. - TCATitle 37, Chapter 1, Part 1; Title 37, Chapter 1, Part 4 and Title 37, Chapter 1 and Part 6. by *Patton.

House Bill No. 3134 -- Mental Health and Developmental Disabilities, Dept. of - Expands patient confidentiality and reporting provisions; clarifies criteria for patient decision-making capacity; broadens custody provisions for residential patients; makes other various revisions to mental health and developmental disabilities provisions. Amends TCA Titles 10 and 33. by *Stanley.

***House Bill No. 3135** -- Taxes - Increases certain taxes on manufacture, sale, or distribution of alcoholic beverages; makes various changes to excise and franchise tax provisions. Amends TCA. by *Whitson.

***House Bill No. 3136** -- Education - Enacts "Education Reform Act of 2002." Amends Tennessee Code Annotated Title 49. by *Whitson.

***House Bill No. 3137** -- Insurance, Health, Accident - Clarifies computation of affected policyholder's proportional refund for premiums paid on accident and health insurance policies in this state. Amends TCA, Title 56. by *McDaniel.

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***House Bill No. 3138** -- Environment and Conservation, Department of - Requires department to maintain registry of riparian lands along designated scenic rivers that are not within scenic river boundary; classifies Wolf river and state forests in certain counties as natural areas; adjusts acreage of certain natural areas. Amends Chapters 13 and 14 of Title 11. by *Sands.

***House Bill No. 3139** -- Environment and Conservation, Department of - Empowers commissioner to enter agreements with nonprofit corporations authorized to do business in Tennessee, as well as those chartered in this state, for using, planning, maintaining, or administering privately-owned land for recreational uses. CAVEAT: This bill would amend TCA Title 11, Chapter 1, but the caption opens only Title 11, Chapter 3. by *McDaniel.

***House Bill No. 3140** -- Water - Authorizes local government to assign its rights and obligations under wastewater facility revolving loan; revises provisions regarding wastewater facilities; requires all regional authorities to file annual financial audit with comptroller. - Titles 4, 7, 64 and 68 of the TCA. by *White.

***House Bill No. 3141** -- Equalization Board - Permits board to assess actual costs of hearing or processing appeal of property taxes against non-indigent party, to extent party does not prevail on its claims. by *Fowlkes.

***House Bill No. 3142** -- Public Records - Clarifies that proposals and sealed bids for purchase of goods and services are only available for public inspection after completion of evaluation by county or municipal government receiving such proposal or bid. Amends TCA Section 10-7-504(a)(7). by *Fowlkes.

***House Bill No. 3143** -- Taxes, Real Property - Establishes limit on amount of land eligible for property tax exemption by religious, charitable, scientific, or nonprofit educational institutions. by *Fowlkes.

***House Bill No. 3144** -- Courts, Probate - Provides that appeals from probate court not served by circuit judge or chancellor go to circuit court for de novo hearing and appeals from probate court served by circuit judge or chancellor go to court of appeals. Amends TCA Title 30; Title 31 and Title 32. by *Fowlkes.

***House Bill No. 3145** -- Local Government, General - Requires state to pay all costs of relocating municipally owned and operated utility when such relocation is caused by state highway requirements. Amends TCA Title 54. by *Fowlkes.

***House Bill No. 3146** -- Taxes, Ad Valorem - Requires that repayment suits for wrongful collection be tried in county where taxes are collected. - TCA Section 67-1-904. by *Fowlkes.

***House Bill No. 3147** -- Land, Agricultural and Open Spaces - Specifies that certain regulations apply to property held jointly, in common, or by entirety and that land be noncontiguous tract within same county; eliminates certain woodlands and wastelands from classification; establishes procedure for rollback assessment and taxes. - TCA Sections 67-5-1003 through 67-5-1008. by *Fowlkes.

***House Bill No. 3148** -- Water - Enacts "Tennessee Water Resources Information Act." - Chapters 8 and 11 of Title 69 and Section 66-11-210 of the TCA. by *McCord.

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***House Bill No. 3149** -- Tobacco Master Settlement Agreement - Authorizes commissioner of revenue, upon request, to disclose to attorney general, or attorney working under attorney's general supervision, information relevant to enforcement of Tobacco Manufacturers' Escrow Fund Act; authorizes attorney general to disclose otherwise confidential information in order to enforce Act. - TCA Title 67, Chapter 4, Part 10. by *Givens.

***House Bill No. 3150** -- State Government - Requires commissioner of each executive department to annually report to governor regarding cost-saving measures calculated to improve efficient operation of such departments; items to be considered include personnel, equipment, and travel. Amends Title 4, Chapter 3 and Title 37, Chapter 5. by *McDaniel.

***House Bill No. 3151** -- Traffic Safety - Enacts "Tennessee Standard Safety Belt Use Act." CAVEAT: This bill purports to amend TCA 38-6-603 which does not exist, and caption is limited to Title 55, Chapter 9. by *Cole (Dyer).

***House Bill No. 3152** -- Appropriations - Specifies that for net increase in state's share of cost of Medicaid or TennCare medical assistance resulting from any law enacted after effective date of this bill, estimated state share of operating costs of such law will be appropriated from recurring revenues. Amends Tennessee Code Annotated Title 9. by *McDaniel.

***House Bill No. 3153** -- Banks and Financial Institutions - Clarifies that out of state trust institution may act as fiduciary "in this state" instead of "from a trust office." Amends TCA Title 45, Chapter 2. by *Stanley.

***House Bill No. 3154** -- Victims' Rights - Allows board of claims to request commissioner of correction or appropriate county official to report on expected date of final payment of offender's obligation under criminal injuries compensation fund provisions. - TCA Title 40, Chapter 24. by *Kisber.

***House Bill No. 3155** -- Tennessee Housing Development Agency - Authorizes agency to distribute annual report electronically. Amends TCA, Title 13, Chapter 23. by *Kisber.

***House Bill No. 3156** -- Education, Dept. of - Requires that any reports prepared by commissioner be provided in electronic format, where practicable; authorizes commissioner to distribute school laws electronically. Amends TCA Section 49-1-201. by *DeBerry L.

***House Bill No. 3157** -- Taxes - Increases from 10 to 15 number of days in which manufacturer or importer of new brand of beer must submit affidavit related to geographical territory where product sold; increases from 15 to 30 number of days corporations have to register with department of revenue related to franchise tax. by *McDaniel.

***House Bill No. 3158** -- Taxes - Increases time in which beer manufacturers and wholesale beer distributors must register with commissioner of revenue from within 20 days to within 25 days of entering business; requires taxpayer with combined franchise and excise tax liability of \$4,000 or more for current tax year, instead of only those with \$5,000 or more combined liability, to make equal quarterly payments. Amends Tennessee Code Annotated Titles 57 and 67. by *McDaniel.

***House Bill No. 3159** -- Education, Dept. of - Revises procedure in regard to placing and reviewing schools on probation. Amends TCA, Title 49. by *Montgomery.

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***House Bill No. 3160** -- Consumer Protection - Enacts certain procedural modifications and safeguards with respect to consumer protection investigations conducted by office of attorney general and reporter. Amends TCA Title 8, Chapter 6, Part 4 and Title 47, Chapter 18, Part 1. by *Bunch.

***House Bill No. 3161** -- Highway Signs - "Candace Ripp Memorial Parkway", segment of U.S. 31A (S.R. 6 or Ellington Parkway) in Davidson County. by *Pruitt.

***House Bill No. 3162** -- County Government - Authorizes county legislative body to establish minimum period of residency within district as condition of person seeking election to office as member of county legislative body. Amends TCA Section 5-5-102. by *Turner (Hamilton).

House Bill No. 3163 -- Water - Authorizes department of environment and conservation to develop and implement new rules, regulations, and standards to preserve limestone rock bed streams from contamination. Amends TCA Title 68, Chapter 221 and Title 69. by *Davidson.

***House Bill No. 3164** -- Taxes - Provides that taxpayer confidentiality requirements and disclosure limitations apply to electronically filed returns. Amends TCA Title 55, Chapter 67. by *Davidson.

House Bill No. 3165 -- Education, Higher - Removes documentation requirement for payment of benefits to BEST tuition contract beneficiary; removes penalty amount from refund due to scholarship award; permits transfer of benefits to another qualified tuition plan. Amends TCA Section 49-7-809 and Section 49-7-811. by *Davidson.

House Bill No. 3166 -- Robertson County - Subject to local approval, revises salary for highway commissioners and chairman. Amends Chapter 380 of the Private Acts of 1947; as amended. by *Davidson.

House Bill No. 3167 -- Zoning - Clarifies that right of businesses to continue to operate after zoning change does not include right to increase or enlarge signs or billboards. Amends TCA Section 13-7-208. by *Davidson.

House Bill No. 3168 -- Governor - Changes date governor is sworn into office from first Saturday after January 14th following election to first Saturday after January 15th. Amends TCA Title 2, Chapter 10, Part 4 and Title 8, Chapter 1. by *McMillan.

***House Bill No. 3169** -- State Government - Changes length of lease of property by state requiring approval by attorney general and state building commission from five years to 10 years and permits letting of term contracts for lease of real property by state for periods not to exceed 120 months. Amends TCA Title 12. by *Cole (Dyer).

House Bill No. 3170 -- Public Records - Provides citizen 14 days to inspect requested public records from date such records are available. Amends TCA Title 10, Chapter 7. by *McMillan.

House Bill No. 3171 -- Public Records - Requires public records commission to establish system of fees to cover reasonable and necessary costs incurred in producing records under public records act. Amends TCA Title 10, Chapter 7. by *McMillan.

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***House Bill No. 3172** -- Election Laws - Allows registry of election finance member who resigns to qualify for elective office after such resignation. Amends TCA Section 2-10-203(j). by *Rinks.

***House Bill No. 3173** -- Taxes, Income - Enacts "Revenue Act of 2002." Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 54; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Head.

***House Bill No. 3174** -- Metropolitan Government - Waives, within any county having special school district of 100,000 or more students, current requirement that proposed metropolitan charter must propose public school consolidation within such county. Amends TCA Title 7, Chapter 2, Part 1. by *Chumney, *Stanley.

***House Bill No. 3175** -- Metropolitan Government - Waives, within any county having special school district of 100,000 or more students, current requirement that proposed metropolitan charter must propose public school consolidation within such county. Amends TCA Section 7-2-108(a)(18). by *Chumney, *Stanley.

House Bill No. 3176 -- Education - Allows department of education to extend temporary certificate of approval for fire and environmental safety for schools from 45 days to 60 days. Amends TCA Title 49. by *Davidson.

***House Bill No. 3177** -- Barbers - Authorizes practice of barbering to be conducted at sites involving photographic sessions and television, video, or theatrical productions. Amends TCA Title 62, Chapter 3, Part 1. by *Towns.

***House Bill No. 3178** -- Mortgages - Places certain requirements and restrictions on mortgage and home equity loans. Amends TCA Title 45 and Title 47. by *Fitzhugh.

House Bill No. 3179 -- Alcoholic Beverages - Removes requirement that alcoholic beverages transported or imported into this state be consigned to licensed wholesaler or manufacturer. Amends TCA Section 57-3-401 and Section 57-3-402. by *Curtiss.

House Bill No. 3180 -- Pensions and Retirement Benefits - Permits retirement credit for military service for members or retired members of TCRS. Amends TCA Title 8. by *Curtiss.

House Bill No. 3181 -- Military - Prohibits member of national guard from driving military vehicle while under influence of alcohol or drugs; authorizes commander in chief to set amount patrons must donate to national guard for recognition as friend of national guard. Amends TCA Title 58, Chapter 1. by *DeBerry J.

House Bill No. 3182 -- Tennessee Valley Authority - Increases allocation of TVA payments in lieu of taxes to advisory commission on intergovernmental relations from \$4,462 to \$4,750 per month. Amends TCA Section 67-9-102. by *Bone.

House Bill No. 3183 -- Election Laws - Establishes procedure for automatic recounts in certain elections. Amends TCA Title 2. by *Hagood.

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***House Bill No. 3184** -- Drugs - Requires director of TBI, board of pharmacy, and board of medical examiners to report on and make recommendations concerning problem of oxycontin abuse with particular attention to issue in rural areas. Amends TCA Title 39; Title 53 and Title 63. by *Maddox.

***House Bill No. 3185** -- Taxes, Exemption - Provides that property tax exemption for fraternal organizations applies to property of social fraternities and sororities affiliated with colleges and universities that is used for organization's purposes. Amends TCA Title 67, Chapter 5, Part 2. by *Maddox.

***House Bill No. 3186** -- Safety, Dept. of - Requires department to review driver license application and examination provisions in view of increased homeland security and report findings and recommendations to House Transportation Committees. Amends TCA Title 55, Chapter 50, Part 3. by *Maddox.

***House Bill No. 3187** -- Medical Occupations - Authorizes dentist who completed residency program in anesthesiology at accredited medical school from 1963 to 1969 to practice anesthesiology. Amends TCA Section 63-6-204. by *Ferguson.

House Bill No. 3188 -- Criminal Offenses - Adds knowing killing of another committed while under influence of intoxicant, marijuana, narcotic drug, or other drug producing stimulating effects on central nervous system to definition of first degree murder. Amends TCA Title 39, Chapter 13, Part 2. by *Hargrove.

House Bill No. 3189 -- Alcoholic Offenses - Requires court to order drug and alcohol assessment of person convicted of driving under influence who has prior conviction of driving under influence within past five years. Amends TCA Title 55, Chapter 10, Part 4. by *Hargrove.

House Bill No. 3190 -- Public Records - Makes personal information of firefighters, law enforcement officers, and emergency medical technicians confidential in job-related investigations. Amends TCA Title 10, Chapter 7. by *Hargrove.

House Bill No. 3191 -- Campaigns and Campaign Finance - Requires registry of election finance members to receive 10 days' written notice of special meeting instead of seven days. Amends TCA Title 2, Chapter 10, Part 2. by *Hargrove.

House Bill No. 3192 -- Pensions and Retirement Benefits - Requires any adjustment in retirement benefits for members of general assembly shall be effective in 30 days instead of at beginning of following month. Amends TCA Title 8, Chapter 36, Part 8. by *Hargrove.

House Bill No. 3193 -- Election Laws - Creates Class E felony for person who is not employee of election commission to give unsolicited request for application for absentee ballot; increases ratio for registered voters per voting machine from 650 to 750; makes other revisions to election laws. Amends TCA Section 2-2-109; Section 2-2-116; Section 2-3-104 and Section 2-6-202. by *Hargrove.

House Bill No. 3194 -- Land, Agricultural and Open Spaces - Extends time carrier engaged in transportation of property or utility transmitting communications is allowed to remedy condition of vegetation overgrowth from 20 days to 30 days. Amends TCA Title 5, Chapter 1, Part 1 and Title 6, Chapter 54, Part 1. by *Hargrove.

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***House Bill No. 3195** -- Human Rights - Expands time in which complaint of discriminatory practice may be filed from 180 days to 1 year; increases time in which commission serves initial notices to complainant and respondent from 10 days to 14 days. Amends TCA Title 4, Chapter 11; Title 4, Chapter 21; Title 4, Chapter 34, Part 2; Title 12, Chapter 4 and Title 49, by *Arriola.

House Bill No. 3196 -- Consumer Protection - Requires providers of cellular communication services to publish and furnish to its customers, prospective consumers, and to consumer division of office of attorney general accurate map of its service areas, including areas within such service area where there is no service or inadequate signals to support viable communication services. Amends TCA Title 47, Chapter 18 and Title 65, by *Fitzhugh.

House Bill No. 3197 -- Taxes - Creates independent study commission to examine Tennessee's tax structure; requires referendum on issue of whether limited constitutional convention should be held on subject of state, county, and municipal taxation and expenditures. Amends TCA Title 9; Title 13; Title 29; Title 56; Title 67 and Title 71, by *Buck.

House Bill No. 3198 -- Campaigns and Campaign Finance - Requires registry of election finance to post contribution information from campaign financial disclosure records on-line to public by means that are searchable, viewable, and accessible in read-only format through Internet on Web site maintained by registry of election finance. Amends TCA Title 2, Chapter 10, by *Maddox.

***House Bill No. 3199** -- Public Records - Authorizes county clerk to have designee attend meetings of county public records commission. Amends TCA Section 10-7-401, by *Towns.

***House Bill No. 3200** -- Safety - Prohibits motor vehicle operators from using certain mobile telephones under certain circumstances; creates rebuttable presumption of negligence under certain circumstances. Creates Class C misdemeanor offense, punishable by fine only. Amends TCA Title 55, Chapter 8, Part 1, by *Buttry.

House Bill No. 3201 -- Sumner County - Subject to local approval, creates additional general sessions court to be designated as Division III with judge thereof to be elected in August of 2004. Amends Chapter 236 of the Private Acts of 1982, by *McDonald.

House Bill No. 3202 -- Constitutional Conventions - Submits to voters question of whether limited constitutional convention should be held to consider changes to Article II, Sections 24, 28, 29, and 30 with respect to state, county, and municipal taxation and expenditures, by *Bunch.

House Bill No. 3203 -- Professions and Occupations - Makes certain changes and additions to practice of dentistry provisions, including provisions affecting licensure, continuing education, areas of practice, disability of practitioners, and scope of practice. Amends TCA Title 63, Chapter 5, Part 1, by *McMillan, *Odom, *Jones, S..

House Bill No. 3204 -- Pharmacy, Pharmacists - Enacts "Patient's Right to Pharmaceutical Quality Act of 2002". Amends TCA Title 56 and Title 63, Chapter 10, by *Odom, *Jones, S..

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3205, was/were referred to the Delayed Bills Committee.

House Bill No. 3205 -- Lobbying, Lobbyists - Prohibits member of general assembly, constitutional officers, or executive service employee at assistant commissioner level or above from lobbying any state agency or branch of state government for period of two years from cessation of service from office or state government. Amends TCA Title 3, Chapter 6, Part 1. by *Black. (*SB3024 by *Blackburn)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2628 -- Children -- House Education Committee

House Bill No. 2629 -- Probation and Parole -- House State and Local Government Committee

House Bill No. 2630 -- Juvenile Offenders -- House Judiciary Committee

House Bill No. 2631 -- Sevier County -- Local Bill Held on House Desk

House Bill No. 2632 -- Motor Vehicles -- House Transportation Committee

House Bill No. 2633 -- Tennessee Emergency Management Agency (TEMA) -- House State and Local Government Committee

House Bill No. 2634 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 2635 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 2636 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 2637 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2638 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

***House Bill No. 2639** -- Education, Higher -- House Education Committee

House Bill No. 2640 -- Taxes -- House Finance, Ways and Means Committee

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House Bill No. 2641 -- Zoning -- House State and Local Government Committee

House Bill No. 2642 -- Tennessee Wildlife Resources Agency -- House Conservation and Environment Committee

House Bill No. 2643 -- Tennessee Wildlife Resources Agency -- House Conservation and Environment Committee

***House Bill No. 2644** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 2645 -- Planning, Public -- House State and Local Government Committee

***House Bill No. 2646** -- Appropriations -- House Finance, Ways and Means Committee

***House Bill No. 2647** -- Alcoholic Beverages -- House State and Local Government Committee

***House Bill No. 2648** -- Criminal Procedure -- House Judiciary Committee

House Bill No. 2649 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 2650 -- Education -- House Education Committee

House Bill No. 2651 -- Nuisances -- House Judiciary Committee

House Bill No. 2652 -- DUI/DWI Offenses -- House Judiciary Committee

House Bill No. 2653 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 2654 -- Tennessee Bureau of Investigation -- House Education Committee

***House Bill No. 2655** -- Courts, General Sessions -- House Judiciary Committee

***House Bill No. 2656** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 2657 -- Public Records -- House Judiciary Committee

House Bill No. 2658 -- Loan Companies and Short Term Lenders -- House Commerce Committee

House Bill No. 2659 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2660 -- Motor Vehicles -- Caption Bill Held on House Desk

House Bill No. 2661 -- Privacy, Confidentiality -- House Judiciary Committee

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House Bill No. 2662 -- Codes -- House Commerce Committee

House Bill No. 2663 -- Driver Licenses -- House Transportation Committee

House Bill No. 2664 -- Election Laws -- House State and Local Government Committee

House Bill No. 2665 -- Energy -- House State and Local Government Committee

House Bill No. 2666 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 2667 -- Sexual Offenses -- House Judiciary Committee

House Bill No. 2668 -- Fees -- House Health and Human Resources Committee

House Bill No. 2669 -- DUI/DWI Offenses -- House Judiciary Committee

House Bill No. 2670 -- Students -- House Education Committee

House Bill No. 2671 -- Basic Education Program (BEP) -- House Education Committee

House Bill No. 2672 -- Taxes, Real Property -- Caption Bill Held on House Desk

House Bill No. 2673 -- State Employees -- House Finance, Ways and Means Committee

House Bill No. 2674 -- Education -- House Education Committee

House Bill No. 2675 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2676 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 2677 -- Election Laws -- House State and Local Government Committee

House Bill No. 2678 -- Election Laws -- House State and Local Government Committee

House Bill No. 2679 -- Nolensville -- Local Bill Held on House Desk

House Bill No. 2680 -- Privacy, Confidentiality -- Caption Bill Held on House Desk

House Bill No. 2681 -- Pharmacy, Pharmacists -- House Commerce Committee

House Bill No. 2682 -- Economic and Community Development -- House Education Committee

House Bill No. 2683 -- Smith County -- Local Bill Held on House Desk

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- House Bill No. 2684** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 2685** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 2686** -- Smith County -- Local Bill Held on House Desk
- House Bill No. 2687** -- Solid Waste Disposal -- House Judiciary Committee
- *House Bill No. 2688** -- Libraries -- House State and Local Government Committee
- House Bill No. 2689** -- Contractors -- House Government Operations Committee
- House Bill No. 2690** -- Contractors -- House Government Operations Committee
- House Bill No. 2691** -- Highways, Roads and Bridges -- Caption Bill Held on House Desk
- House Bill No. 2692** -- Tobacco Master Settlement Agreement -- House Finance, Ways and Means Committee
- House Bill No. 2693** -- Mobile Homes and Manufactured Buildings -- House Transportation Committee
- *House Bill No. 2694** -- Consumer Protection -- House Consumer and Employee Affairs Committee
- House Bill No. 2695** -- Driver Licenses -- House Transportation Committee
- House Bill No. 2696** -- Fire Prevention and Investigation -- House Commerce Committee
- House Bill No. 2697** -- Managed Care Organizations -- House Judiciary Committee
- House Bill No. 2698** -- Appropriations -- House Finance, Ways and Means Committee
- House Bill No. 2699** -- Courts -- House Judiciary Committee
- House Bill No. 2700** -- Correction, Dept. of -- House State and Local Government Committee
- House Bill No. 2701** -- Gatlinburg -- Local Bill Held on House Desk
- House Bill No. 2702** -- Securities -- House Commerce Committee
- House Bill No. 2703** -- Motor Vehicles -- House Commerce Committee
- House Bill No. 2704** -- Hickman County -- Local Bill Held on House Desk
- House Bill No. 2705** -- Hickman County -- Local Bill Held on House Desk

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***House Bill No. 2706** -- Local Education Agency -- House Education Committee

House Bill No. 2707 -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 2708** -- Education, State Board of -- House Education Committee

House Bill No. 2709 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2710 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2711 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2712 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2713 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2714 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2715 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2716 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2717 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2718 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2719 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2720 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2721 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2722 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2723 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2724 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2725 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2726 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2727 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2728 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2729 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2730 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2731 -- Sunset Laws -- House Government Operations Committee

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House Bill No. 2732 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2733 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2734 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2735 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2736 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2737 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2738 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2739 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2740 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2741 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2742 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2743 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2744 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2745 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2746 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2747 -- Sunset Laws -- House Government Operations Committee

***House Bill No. 2748** -- Administrative Procedure (UAPA) -- House Government Operations Committee

House Bill No. 2749 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2750 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2751 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2752 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2753 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2754 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2755 -- Sunset Laws -- House Government Operations Committee

House Bill No. 2756 -- Sunset Laws -- House Government Operations Committee

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- House Bill No. 2757** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2758** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2759** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2760** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2761** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2762** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2763** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2764** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2765** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2766** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2767** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2768** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2769** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2770** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2771** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2772** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 2773** -- Scott County -- Local Bill Held on House Desk
- House Bill No. 2774** -- Education, Higher -- House Government Operations Committee
- House Bill No. 2775** -- Benton County -- Local Bill Held on House Desk
- House Bill No. 2776** -- Solid Waste Disposal -- House State and Local Government Committee
- House Bill No. 2777** -- Highways, Roads and Bridges -- House Transportation Committee
- House Bill No. 2778** -- Appeal and Review -- House Judiciary Committee
- House Bill No. 2779** -- Local Education Agency -- House Education Committee
- House Bill No. 2780** -- Local Education Agency -- House Education Committee

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- *House Bill No. 2781** -- Zoning -- House State and Local Government Committee
- House Bill No. 2782** -- Criminal Offenses -- House Agriculture Committee
- House Bill No. 2783** -- Zoning -- House State and Local Government Committee
- House Bill No. 2784** -- Taxes, Ad Valorem -- House State and Local Government Committee
- House Bill No. 2785** -- Bail, Bail Bonds -- House Judiciary Committee
- House Bill No. 2786** -- Bail, Bail Bonds -- House Judiciary Committee
- House Bill No. 2787** -- Architects, Engineers and Designers -- House Commerce Committee
- House Bill No. 2788** -- Tennessee Bureau of Investigation -- House Judiciary Committee
- *House Bill No. 2789** -- Budget Procedures -- House Finance, Ways and Means Committee
- House Bill No. 2790** -- Bad Checks -- House Judiciary Committee
- House Bill No. 2791** -- Insurance, Motor Vehicles -- Caption Bill Held on House Desk
- *House Bill No. 2792** -- Utilities, Utility Districts -- House State and Local Government Committee
- House Bill No. 2793** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee
- House Bill No. 2794** -- Election Laws -- House State and Local Government Committee
- House Bill No. 2795** -- Highway Signs -- House Transportation Committee
- House Bill No. 2796** -- Motor Vehicles -- House Transportation Committee
- House Bill No. 2797** -- Criminal Offenses -- House Judiciary Committee
- *House Bill No. 2798** -- Water -- House Conservation and Environment Committee
- *House Bill No. 2799** -- Local Government, General -- House State and Local Government Committee
- House Bill No. 2800** -- Adoption -- House Children and Family Affairs Committee
- House Bill No. 2801** -- Children -- House Children and Family Affairs Committee
- House Bill No. 2802** -- Driver Licenses -- House Transportation Committee

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House Bill No. 2803 -- Children -- House Children and Family Affairs Committee

House Bill No. 2804 -- Child Custody and Support -- House Children and Family Affairs Committee

***House Bill No. 2805** -- Tort Liability -- House Judiciary Committee

House Bill No. 2806 -- Child Custody and Support -- House Children and Family Affairs Committee

House Bill No. 2807 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2808 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2809 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2810 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2811 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2812 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 2813 -- Victims' Rights -- House Government Operations Committee

House Bill No. 2814 -- Education, Higher -- House Education Committee

***House Bill No. 2815** -- Notary Public -- House Judiciary Committee

***House Bill No. 2816** -- Motor Vehicles -- House Transportation Committee

House Bill No. 2817 -- Grundy County -- Local Bill Held on House Desk

***House Bill No. 2818** -- Civil Procedure -- House Judiciary Committee

House Bill No. 2819 -- Insurance Companies, Agents, Brokers, Policies -- House Government Operations Committee

House Bill No. 2820 -- Uniform Laws -- House Judiciary Committee

House Bill No. 2821 -- Uniform Commercial Code -- House Judiciary Committee

***House Bill No. 2822** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

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***House Bill No. 2823** -- Taxes, Sales -- House State and Local Government Committee

***House Bill No. 2824** -- Taxes, Real Property -- House State and Local Government Committee

***House Bill No. 2825** -- Taxes, Real Property -- House State and Local Government Committee

***House Bill No. 2826** -- Education -- House Education Committee

***House Bill No. 2827** -- Education, Dept. of -- House Judiciary Committee

***House Bill No. 2828** -- Education, Dept. of -- House Education Committee

***House Bill No. 2829** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 2830 -- Zoning -- House State and Local Government Committee

House Bill No. 2831 -- Election Laws -- House State and Local Government Committee

House Bill No. 2832 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 2833 -- Podiatrists -- House Health and Human Resources Committee

House Bill No. 2834 -- Motor Vehicles, Titling and Registration -- House Transportation Committee

House Bill No. 2835 -- Podiatrists -- House Health and Human Resources Committee

House Bill No. 2836 -- Labor and Workforce Development, Dept. of -- House Consumer and Employee Affairs Committee

House Bill No. 2837 -- Insurance, Motor Vehicles -- House Transportation Committee

House Bill No. 2838 -- Courts, Administrative Office of the -- House Judiciary Committee

House Bill No. 2839 -- Hospitals and Health Care Facilities -- House Government Operations Committee

***House Bill No. 2840** -- Real Estate Agents and Brokers -- House Commerce Committee

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***House Bill No. 2841** -- Medical Occupations -- House Health and Human Resources Committee

House Bill No. 2842 -- Redistricting, Legislative -- House State and Local Government Committee

House Bill No. 2843 -- Education -- Caption Bill Held on House Desk

***House Bill No. 2844** -- Metropolitan Government -- House State and Local Government Committee

***House Bill No. 2845** -- Courts -- House Judiciary Committee

***House Bill No. 2846** -- Child Custody and Support -- House Children and Family Affairs Committee

House Bill No. 2847 -- Taxes -- Caption Bill Held on House Desk

House Bill No. 2848 -- Driver Licenses -- House Transportation Committee

House Bill No. 2849 -- Parks, Natural Areas Preservation -- House Government Operations Committee

House Bill No. 2850 -- Appropriations -- House Conservation and Environment Committee

House Bill No. 2851 -- Consumer Protection -- House Consumer and Employee Affairs Committee

House Bill No. 2852 -- Taxes, Real Property -- House State and Local Government Committee

***House Bill No. 2853** -- Alcoholic Beverages -- House State and Local Government Committee

House Bill No. 2854 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

***House Bill No. 2855** -- Optometry -- House Health and Human Resources Committee

House Bill No. 2856 -- Taxes, Franchise -- House Finance, Ways and Means Committee

House Bill No. 2857 -- Taxes -- House Finance, Ways and Means Committee

House Bill No. 2858 -- Telecommunications -- House Consumer and Employee Affairs Committee

House Bill No. 2859 -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

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House Bill No. 2860 -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 2861 -- Consumer Protection -- House Consumer and Employee Affairs Committee

House Bill No. 2862 -- Workers' Compensation -- House Consumer and Employee Affairs Committee

***House Bill No. 2863** -- Public Funds and Financing -- House Finance, Ways and Means Committee

House Bill No. 2864 -- Utilities, Utility Districts -- House State and Local Government Committee

House Bill No. 2865 -- Water -- House Finance, Ways and Means Committee

House Bill No. 2866 -- Taxes, Personal Property -- House Finance, Ways and Means Committee

***House Bill No. 2867** -- Taxes, Exemption -- House State and Local Government Committee

House Bill No. 2868 -- Taxes, Real Property -- House State and Local Government Committee

House Bill No. 2869 -- Taxes, Ad Valorem -- House State and Local Government Committee

House Bill No. 2870 -- Telecommunications -- House Consumer and Employee Affairs Committee

House Bill No. 2871 -- Ethics -- House State and Local Government Committee

***House Bill No. 2872** -- Taxes -- Caption Bill Held on House Desk

House Bill No. 2873 -- Public Contracts -- House State and Local Government Committee

***House Bill No. 2874** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

***House Bill No. 2875** -- Insurance, Fire and Casualty -- House Commerce Committee

House Bill No. 2876 -- Taxes, Tobacco, Tobacco Products -- House Agriculture Committee

House Bill No. 2877 -- Home Improvement Contractors -- House Commerce Committee

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***House Bill No. 2878** -- Teachers, Principals and School Personnel -- House Education Committee

***House Bill No. 2879** -- Parks, Natural Areas Preservation -- House Conservation and Environment Committee

***House Bill No. 2880** -- General Assembly, Statement of Intent or Position -- House Judiciary Committee

House Bill No. 2881 -- Education, Higher -- House Education Committee

***House Bill No. 2882** -- Animals and Animal Cruelty -- House Agriculture Committee

***House Bill No. 2883** -- Foster Care -- House Children and Family Affairs Committee

***House Bill No. 2884** -- Children's Services, Dept. of -- House Judiciary Committee

***House Bill No. 2885** -- Abuse -- House Judiciary Committee

***House Bill No. 2886** -- Adoption -- House Children and Family Affairs Committee

***House Bill No. 2887** -- Juvenile Offenders -- House Children and Family Affairs Committee

***House Bill No. 2888** -- TennCare -- House Judiciary Committee

***House Bill No. 2889** -- Insurance Companies, Agents, Brokers, Policies -- House Government Operations Committee

***House Bill No. 2890** -- Securities -- House Government Operations Committee

***House Bill No. 2891** -- Insurance Companies, Agents, Brokers, Policies -- House Government Operations Committee

***House Bill No. 2892** -- Fees -- House Commerce Committee

***House Bill No. 2893** -- Securities -- House Government Operations Committee

***House Bill No. 2894** -- TennCare -- House Commerce Committee

***House Bill No. 2895** -- TennCare -- House Commerce Committee

***House Bill No. 2896** -- Correction, Dept. of -- House Judiciary Committee

***House Bill No. 2897** -- Education -- House Education Committee

***House Bill No. 2898** -- Education -- House Education Committee

***House Bill No. 2899** -- Textbooks -- House Education Committee

***House Bill No. 2900** -- Education -- House Education Committee

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***House Bill No. 2901** -- Teachers, Principals and School Personnel -- House Education Committee

***House Bill No. 2902** -- Air Pollution -- House Government Operations Committee

***House Bill No. 2903** -- Water Pollution -- House Health and Human Resources Committee

***House Bill No. 2904** -- Laundries and Dry Cleaners -- House Government Operations Committee

***House Bill No. 2905** -- Boards and Commissions -- House State and Local Government Committee

***House Bill No. 2906** -- Food and Food Products -- House Health and Human Resources Committee

***House Bill No. 2907** -- Child Custody and Support -- House Children and Family Affairs Committee

***House Bill No. 2908** -- Labor and Workforce Development, Dept. of -- House Consumer and Employee Affairs Committee

***House Bill No. 2909** -- Professions and Occupations -- House Consumer and Employee Affairs Committee

***House Bill No. 2910** -- Mobile Homes and Manufactured Buildings -- House Commerce Committee

***House Bill No. 2911** -- Health Care -- House Health and Human Resources Committee

***House Bill No. 2912** -- Taxes -- House Judiciary Committee

***House Bill No. 2913** -- Revenue, Dept. of -- House Judiciary Committee

***House Bill No. 2914** -- Transportation, Dept. of -- House Transportation Committee

***House Bill No. 2915** -- Transportation, Dept. of -- House Transportation Committee

***House Bill No. 2916** -- Motor Vehicles -- House Transportation Committee

***House Bill No. 2917** -- Utilities, Utility Districts -- House Transportation Committee

House Bill No. 2918 -- Juries and Jurors -- House Judiciary Committee

House Bill No. 2919 -- Taxes, Ad Valorem -- House State and Local Government Committee

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House Bill No. 2920 -- Industrial Development -- House State and Local Government Committee

***House Bill No. 2921** -- Taxes, Sales -- House State and Local Government Committee

House Bill No. 2922 -- Juries and Jurors -- House Judiciary Committee

House Bill No. 2923 -- Public Records -- House Judiciary Committee

House Bill No. 2924 -- Taxes, Litigation -- House Judiciary Committee

CONSENT CALENDAR

House Joint Resolution No. 649 -- Memorials, Personal Achievement - James B. Clark, Scottish Rite of Freemasonry, 33rd Degree. by *Davis (Cocke).

House Joint Resolution No. 650 -- Memorials, Heroism - Herman Victor Hall. by *Davis (Cocke).

House Joint Resolution No. 651 -- Memorials, Heroism - Orville V. Calfee. by *Davis (Cocke).

House Joint Resolution No. 652 -- Memorials, Personal Achievement - James Joey Hicks, Eagle Scout. by *Davis (Cocke).

House Joint Resolution No. 653 -- Memorials, Public Service - Newell "Hop" Byrd, 40 years of service to Newport Rescue Squad. by *Davis (Cocke).

House Joint Resolution No. 654 -- Memorials, Recognition - Solomon C. Black. by *Davis (Cocke).

House Joint Resolution No. 655 -- Memorials, Personal Achievement - Domenick J. Allen, Eagle Scout. by *Davis (Cocke).

House Joint Resolution No. 656 -- Memorials, Personal Achievement - Shawn Ray Hendrickson, Eagle Scout. by *Davis (Cocke).

House Joint Resolution No. 657 -- Memorials, Heroism - Oll C. "Hoppy" Hopkins. by *Davis (Cocke).

House Joint Resolution No. 658 -- Memorials, Recognition - Jim O' Brien, 2001 Citizen of the Year. by *Scroggs.

House Joint Resolution No. 663 -- Memorials, Retirement - Sue A. Dawson. by *Overbey, *McCord.

House Joint Resolution No. 664 -- Memorials, Personal Occasion - Mr. and Mrs. Philip R. Poling, 50th wedding anniversary. by *Mumpower.

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House Joint Resolution No. 665 -- Memorials, Recognition - Birthplace of Country Music Alliance. by *Mumpower, *Godsey.

House Joint Resolution No. 666 -- Memorials, Recognition - Jessica Dawn Smith. by *Windle.

House Joint Resolution No. 668 -- Memorials, Death - Cecile Cox Quillen. by *Whitson, *Mumpower, *Davis (Washington), *Godsey, *Montgomery, *Westmoreland, *Ford S, *McCord, *Hagood, *Givens, *Roach, *Patton, *Cole (Carter), *Davis (Cocke).

House Joint Resolution No. 669 -- Memorials, Death - Carl Baker. by *Buck, *Winningham, *Bone.

House Joint Resolution No. 674 -- Memorials, Heroism - Pleasant View Volunteer Fire Department. by *Davidson.

House Joint Resolution No. 675 -- Memorials, Retirement - Charles Thacker, Jr. by *Sands.

House Joint Resolution No. 676 -- Memorials, Sports - Coach Jim Cartwright. by *Sands.

House Resolution No. 196 -- Memorials, Heroism - Joseph Gower Mills. by *Odom.

House Resolution No. 197 -- Memorials, Death - Ruth R. Broyles. by *Patton.

House Resolution No. 198 -- Memorials, Professional Achievement - Kana Barker-Mabon, winner of 2001 Milken Family Foundation National Educator Award. by *Jones U (Shelby), *DeBerry L.

Senate Joint Resolution No. 491 -- Memorials, Death - Dr. Clayton L. Carpenter. by *Crowe.

Senate Joint Resolution No. 493 -- Memorials, Retirement - Clifford L. Peters. by *Crowe.

Senate Joint Resolution No. 495 -- Memorials, Death - Fred M. "Speedy" Clyce. by *Crowe.

Senate Joint Resolution No. 496 -- Memorials, Heroism - Jack Arnold Thompson, Captain, United States Air Force. by *Crowe, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 500 -- Memorials, Death - Police Officer Candace Renee Ripp. by *Harper, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

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Senate Joint Resolution No. 501 -- Memorials, Professional Achievement - Sterling Woodrow Hearon, Tennessee Farm Bureau Distinguished Service Award. by *Clabough.

Senate Joint Resolution No. 502 -- Memorials, Personal Occasion - Linda Walker, 50th Birthday. by *Burchett.

Senate Joint Resolution No. 503 -- Memorials, Death - Laurence Ray Kennedy. by *Kurita, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams.

Senate Joint Resolution No. 505 -- Memorials, Death - John Pittard. by *Trail.

Senate Joint Resolution No. 506 -- Memorials, Death - Dr. Cliff Gillespie. by *Trail, *Kurita, *Rochelle.

Senate Joint Resolution No. 507 -- Memorials, Retirement - Bobbie W. Burchett. by *Kyle.

Senate Joint Resolution No. 514 -- Memorials, Public Service - Teddy Kyriakidis. by *Crutchfield.

Senate Joint Resolution No. 518 -- Memorials, Sports - J.P. Shelly, Ezell-Harding Quarterback. by *Davis L.

House Bill No. 2056 -- Columbia - Subject to local approval, removes residency requirements for assistant city manager, personnel director, and director of grants and planning. Amends Chapter 380 of the Private Acts of 1972; as amended. by *Sands. (SB2019 by *Blackburn)

On motion, House Bill No. 2056 was made to conform with **Senate Bill No. 2019**; the Senate Bill was substituted for the House Bill.

House Bill No. 2057 -- Weakley County - Subject to local approval, decreases board of highway commissioners from five to three members. Amends Chapter 640 of the Private Acts of 1949; as amended. by *Maddox. (SB2017 by *Herron)

House Bill No. 2058 -- Weakley County - Subject to local approval, reduces number of school districts from ten to nine. - Repeals Chapter 128 of the Private Acts of 1994. by *Maddox. (SB2016 by *Herron)

House Bill No. 2190 -- Carter County - Subject to local approval, decreases school board from eight to seven members; provides for terms and election of such members. by *Cole (Carter). (SB2191 by *Crowe)

Rep. Whitson moved that all members voting aye on House Joint Resolution No. 668 be added as sponsors, which motion prevailed.

Rep. McMillan moved that all members voting aye on Senate Joint Resolution No. 503 be added as sponsors, which motion prevailed.

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Rep. U. Jones moved that all members voting aye on House Resolution No. 198 be added as sponsors, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 674: by Rep. Davidson

House Bill No. 2058: Rep. Maddox

Under the rules, House Joint Resolution No. 674 and House Bill No. 2058 were placed at the foot of the calendar for February 7, 2002.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Maddox, **House Bill No. 2058** was withdrawn from the House.

INTRODUCTION OF BILLS

On motion of Rep. Davidson, the following bills were introduced and passed first consideration:

House Bill No. 3206 -- Tipton County - Subject to local approval, requires that election of constable be governed by general law; repeals private act provisions regarding election for constable, by *Naifeh.

ANNOUNCEMENTS

RULES SUSPENDED

Rep. Sharp moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 641 out of order, which motion prevailed.

House Joint Resolution No. 641 -- Naming and Designating - Designates February 6, 2002, as "Ronald Reagan Day." by *Sharp, *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Sharp, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Davidson moved that the rules be suspended to allow **Senate Bill No. 199** to be heard on the House Floor on Thursday, February 7, 2002 should it receive favorable consideration in the House State and Local Government Committee and the House Committee on Calendar and Rules. Without objection, it was so ordered.

REPORT FILED

The Clerk announced that the Tennessee Supreme Court has filed the proposed amendments to the Rules of Civil Procedure, the Rules of Criminal Procedure, the Rules of Appellate Procedure, and the Rules of Evidence with the Clerk's Office and that the same are available for review.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2157: Rep(s). McMillan as prime sponsor(s).

House Bill No. 2158: Rep(s). McMillan as prime sponsor(s).

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House Bill No. 2159: Rep(s). McMillan as prime sponsor(s).

House Bill No. 2160: Rep(s). McMillan as prime sponsor(s).

House Bill No. 2535: Rep(s). Naifeh as prime sponsor(s).

House Bill No. 2973: Rep(s). Lewis as prime sponsor(s).

**MESSAGE FROM THE SENATE
February 4, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 561; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS
February 4, 2002**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2057, 2190, also, House Joint Resolution(s) No(s). 641, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 663, 664, 665, 666, 668, 669, 675, 676.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 4, 2002**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2104; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENROLLED BILLS
February 4, 2002**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 196, 197 and 198; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
February 4, 2002**

The Speaker signed the following: House Resolution(s) No(s). 196, 197 and 198.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 4, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2011, 2037, 2038, 2040, 2044, 2047, 2048, 2070, 2078, 2091, 2112 and 2404; all passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Bill No. 2011** -- Court Rules - Deletes statute that incorporates rules of practice of chancery court into code. Amends TCA Title 21, Chapter 1. by *Person. (HB2157 by *Buck, *Brooks, *McMillan)

***Senate Bill No. 2037** -- Sunset Laws - Information systems council, June 30, 2008. Amends TCA Title 4, Chapter 3 and Title 4, Chapter 29. by *Harper. (HB2723 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2038** -- Sunset Laws - Home improvement commission, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 37. by *Harper. (HB2720 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2040** -- Sunset Laws - Employee suggestion award board, June 30, 2008. Amends TCA Title 4, Chapter 27 and Title 4, Chapter 29. by *Harper. (HB2722 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2044** -- Sunset Laws - Department of general services, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Harper. (HB2731 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2047** -- Sunset Laws - Center for earthquake research and information, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8. by *Harper. (HB2728 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2048** -- Sunset Laws - Collateral pool board, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 9, Chapter 4. by *Harper. (HB2729 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2070** -- Sunset Laws - State family support council, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 5. by *Harper. (HB2709 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2078** -- Sunset Laws - Tennessee dairy promotion committee, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 44, Chapter 19. by *Harper, *Davis L. (HB2743 by *Kernell, *Brooks, *Cooper B)

***Senate Bill No. 2091** -- Sunset Laws - Child care advisory council, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 1. by *Harper. (HB2762 by *Kernell, *Brooks, *Cooper B)

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***Senate Bill No. 2112** -- Sunset Laws - Tennessee code commission, June 30, 2008. Amends TCA Title 1, Chapter 1 and Title 4, Chapter 29. by *Harper. (HB2735 by *Kernell, *Brooks, *Cooper B)

Senate Bill No. 2404 -- Statutes - Codifies public acts of 2001. by *Wilder. (*HB2109 by *Davidson, *Buck)

ROLL CALL

The roll call was taken with the following results:

Present.....95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Walker, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

RECESS MOTION

Rep. Davidson moved that the House stand in brief recess, pursuant to Senate Joint Resolution No. 523, to meet with the Senate in Joint Convention for the State of the State Address by the Governor, at the conclusion of which the House stand in recess until 9:00 a.m., Thursday, February 7, 2002, which motion prevailed.

MONDAY, FEBRUARY 4, 2002 – SEVENTY-THIRD LEGISLATIVE DAY

IN JOINT CONVENTION

STATE OF THE STATE ADDRESS

MONDAY, FEBRUARY 4, 2002

The hour having arrived, set by Senate Joint Resolution No. 523, the Senate met with the House in Joint Convention for the purpose of hearing the Governor's State of the State address.

The Joint Convention was called to order by Mr. Speaker Wilder, President of the Joint Convention.

On motion of Senator Haynes, the Senate dispensed with Senate Roll Call.

On motion of Representative Davidson, the House dispensed with the House Roll Call.

The Clerk of the Senate read Senate Joint Resolution No. 523 authorizing the Joint Convention.

Senator Haynes moved that President Wilder appoint a committee composed of six members of the Senate and six members of the House to notify the Governor that the Joint Convention was in session and awaiting his arrival.

President Wilder appointed Senators Burchett, Elsea, Graves, Harper, Kurita, Person, and Representatives Briley, Caldwell, Langster, Patton, Phelan and Scroggs to escort the Governor. Representative Caldwell served as Chair of the Committee.

Without objection, the Joint Convention stood in recess pending arrival of the Governor.

BRIEF RECESS

The recess having expired, the Joint Convention was called to order by President Wilder.

Without objection, the roll calls of the Senate and House were dispensed with.

Representative Caldwell was recognized at the entrance of the House Chamber.

Representative Caldwell stated, "Mr. President, the Governor of the Great State of Tennessee."

President Wilder asked the Committee to Escort the Honorable Don Sundquist to please come forward.

President Wilder introduced the Honorable Don Sundquist.

MESSAGE BY GOVERNOR SUNDQUIST

"THE COURAGE TO MAKE A DIFFERENCE"

Governor Wilder
Speaker Naifeh
Madame Speaker DeBerry
Members of the 102nd General Assembly
Constitutional Officers
Justices of the Supreme Court
Attorney General Summers
Members of my Cabinet
Director of the TBI
My family...
My fellow Tennesseans...

This evening, on the occasion of my eighth and final State of the State address, I am reminded of what brings us together as leaders of our great state.

A common goal of making Tennessee the best it can be...a common goal of creating a better Tennessee for our children and grandchildren.

I want to start this evening with a heartfelt thank you to the members of the General Assembly. Thank you for your service to Tennessee and for your willingness to be a part of our great democracy.

While it is seldom easy, your service at this time in history is the most important part of realizing our common goal of achieving the best Tennessee possible.

Governor Wilder, Speaker Naifeh...elected leadership...I thank you for the time we've spent making important decisions for Tennessee. Together, we have made much progress over the past seven years.

Thank you to the talented and dedicated members of my Cabinet, past and present. You've been the greatest team in the world during some of the most difficult and rewarding times.

And thank you to our state employees. Here tonight representing the thousands who quietly serve Tennessee each and every day are three very special career public servants.

First, a man who always keeps his cool when confronted with the challenges of disaster. Whether it's the ravages of a flood, the devastation of a tornado or the after effects of nine-eleven, Tennessee has been well served for over 30 years by one of the nation's leaders in Emergency Management. Ladies and gentlemen, please join me in recognizing the director of the Tennessee Emergency Management Agency...Mr. John White.

Next, a woman who has always served this state with dignity, class and the utmost integrity. She rose through the ranks to one of the toughest jobs in state government and has always been a voice for our greatest asset—our employees. She recently retired after 30 years with the state...former Commissioner of Personnel, Mrs. Dorothy Shell.

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And finally, a man who has forgotten more about the state budget than most of us will ever know. While he wanted to retire several years ago, he continued to serve during one of the most important times in Tennessee's history. One of this state's greatest resources...Deputy Commissioner of Finance and Administration...Mr. Jerry Adams.

Since our early days of statehood, nearly 206 years ago, Tennessee has been a state full of promise.

Each new generation has built upon the progress of the generation before. Each day's successes are borne out of the previous day's resolve.

We've produced presidents, Olympic champions, Nobel prize-winning scientists and entrepreneurs. Our musical heritage alone has influenced and changed the world. We had a wonderful celebration of that heritage just a few weeks ago when the U.S. Mint released the Tennessee quarter.

During that ceremony, as Ruby Wilson sang a version of the Tennessee Waltz that sent chills down my spine, I was overcome with pride...pride in a state and a people that have never let adversity or hardship stand in the way of promise.

No matter what amount of adversity we face today...no matter the magnitude of the problems before us...they are nothing compared to the promise that's alive and well in Tennessee. Every day, with each new baby born, promise is renewed. A promise renewed 84,000 times a year in Tennessee.

Eighty-four thousand babies born without hate, prejudice or fear.

Eighty-four thousand little minds eager to learn.

And if we teach them well...if we do our jobs right...84,000 new opportunities to build a brighter future. So while each of us here this evening is mindful of the challenges before us, we also must be mindful of that promise.

We must rise to the challenge and find the courage to make a difference in the life of every single child in our midst.

We have found that courage in the past.

Working together over the last seven years, we've enacted good public policy that has helped parents lift themselves, and their children, out of poverty.

Together, we created jobs, offered affordable healthcare, childcare and transportation. We enacted a rating system for our childcare centers that's leading the nation and setting new standards for the care and safety of those most precious to us.

We've doubled the rate of adoption and lead the nation for health screenings among children in state custody.

We're building roads and schools that in turn build opportunity and hope.

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We now have more children living in families with full-time employment than two-thirds of the country. Fewer children live in poverty in Tennessee than at any other time in history. And yet, that's not good enough.

One child living in poverty is one child too many.

Five years ago, Martha and I began sending congratulatory cards to the parents of every baby born in Tennessee.

It seems like a small thing, but the little things really do make a difference.

We receive hundreds of replies to these cards. Many include pictures of the tiny little newborns. I'll never forget one, in particular.

The mother of a little girl named Raven wrote to say how much it meant to her that the State of Tennessee sent a card welcoming her new baby into the world. It was the only one she received.

So those cards really do make a difference to a lot of people. And by including a vaccination schedule for that first year, those cards have also helped make a difference in our immunization rates.

In just seven years, childhood immunization rates have gone from less than 79 percent to nearly 90 percent. Well above the national average. We're on our way to wiping out deadly diseases that once took a heavy toll on our children, as well as our communities.

TennCare, with its focus on prevention, has been key to boosting those rates. I'm proud to say that when it comes to health care coverage for children, we lead the nation. That's reason enough to keep the promise of TennCare alive.

Preventive care is keeping Tennessee's children healthy, keeping them in school and making them better learners.

And our schools are safer. Every public and private school in Tennessee is now inspected annually to make sure they comply with state safety standards and fire codes...something that hadn't been done statewide in nearly two decades.

As promised, the Basic Education Program is fully funded and class sizes have been lowered.

In just one year, we greatly improved standards and accountability in our classrooms. We all remain committed to making sure diplomas mean something in Tennessee.

Achievement results are now available and online for every school in our state. We know exactly how well our students are performing in every subject. Educators across the country are implementing the Tennessee model, a model implemented here because of our collective will.

States are being judged by many standards, but as technology continues to transform our society, the quality of our math and science instruction has never been more important.

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We're making great progress in that regard. In fact, we lead the nation in the percentage of 8th grade math teachers with access to computers in the classroom. We know how important that is to teaching modern math and science skills so vital in today's high-tech economy.

We set the stage for that kind of success back in 1996, when we became the first state to connect every classroom to the Internet. And, knowing that wasn't good enough, we have continued to invest in the latest technology at every level.

Tonight I announce another first...the use of that network to instantly notify our schools of bad weather, natural disasters and other threats. With this, our children will be safer.

We're on track for dramatic safety improvements at nearly 1,000 railroad crossings along school bus routes throughout the state. Thanks to the help of Congressman Wamp, along with Congressman Rogers of Kentucky, Tennessee won special federal funding for the project...the first of its kind in the country, and one sure to make our children safer.

In many important respects, the State of our State has never been better:

Our policies have encouraged unprecedented economic growth.

We rank among the top 10 "Hot Spots" in the nation for new business development.

We've gained over 300,000 new jobs in the last seven years—higher paying jobs that are helping raise Tennessee's standard of living.

Families First, which we crafted and implemented together, has meant fewer people on welfare in this state.

Part of our economic success is the result of our investment in roads - especially in our rural areas.

As promised, we've nearly completed the economic lifeline from Monteagle to Memphis known as Highway 64.

We're moving forward with the Upper Cumberland Development Corridor to connect our high unemployment counties with more jobs. For the people there, improving Highway 52 will complete the dream of better jobs that will forever change the lives of their families.

And while our roads have paved the way for opportunity, they've also been voted the best in the nation, as well as one of the most scenic. We help keep them safe by being among the toughest in the nation for truck inspections.

To top it all off, our roads are debt free. It would be a mistake to raid our road fund for a temporary fix to a perennial problem.

And at a time when Tennessee's roads are safer than ever, it also would be a mistake not to strengthen our drunk-driving laws. Let's pass .08 this year.

Together, we're building an Intelligent Transportation System along our urban interstates, using the Internet, cameras and highway messaging to relieve congestion and save lives.

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We'll continue to use technology to cut costs and improve efficiencies throughout government. Since the launch of our TennesseeAnytime web site, Tennesseans are spending more time online than in line for all kinds of services.

In just over seven months, TennCare providers have used our new Internet service to verify eligibility for over half a million people, getting them the care they need faster.

We've dedicated the last seven years to making our environment the cleanest it's been in a generation.

Tennessee is now one of just a handful of states that meets all current federal air-quality standards.

We brought other southern governors to Gatlinburg last June to sign the Southern Air Principles...to improve air quality not just in the Smokies, but across the South.

Raft down the once-blackened Pigeon River and see the trophy small-mouth bass that have returned to its clear waters.

Visit the rugged hills of East Tennessee, where elk not only run free for the first time in over 100 years, but they're thriving.

Count the thousands of acres of the most beautiful land in the world set aside for protection through innovative corporate donations.

Watch as the new Brownfields law turns deserted urban areas into places of hope and opportunity.

Together, we have accomplished great things for Tennessee.

Cooperation must continue to be the cornerstone of this legislative session as we keep alive the promise to our children.

Last year, in the middle of a tough national economy, we had over 6 billion dollars in new capital investment in our state. That puts us on track to realizing over 40 billion dollars in new business investment in 8 years.

But none of us can afford to say that's good enough.

We must shift our focus from the records we've set to the goals we seek for the future, making sure we prepare every Tennessean for the jobs of tomorrow.

We want the world to know we're a low-tax, low-cost place to do business. We want everyone to know about our central location...our ready access to America's major markets...our skilled workforce and our strong work ethic.

But what we offer today isn't good enough for the future. We must work harder and invest more wisely if we are to fulfill the promise of each new child.

Technology will be an increasingly important part of that equation.

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With our new Tennessee Means Technology initiative, we're redoubling our efforts to leverage Tennessee's abundant science and technology resources.

A shining example is the Oak Ridge National Laboratory, which more than a half a century ago, helped save our democracy.

Today, under the management of the University of Tennessee and Battelle, the Lab has joined forces with state government, broadening access to its vast resources.

Most of you here tonight, including Governor Wilder and Speaker Naifeh, joined me in providing support for the construction of the world's largest science project...the Spallation Neutron Source.

Included in that project is a state-of-the-art computational science center, housing the fastest computer in the world. A computer soon capable of 10 trillion calculations per second, and one that will help UT become a world leader in the field.

In return, Oak Ridge National Lab is becoming an even stronger economic development partner, helping create 26 new start-up companies in just the last 18 months.

The same thing is happening on the other end of our state in Memphis where St. Jude Children's Research Hospital is doubling in size through a billion-dollar expansion.

The state is partnering to provide highway and infrastructure improvements, helping St. Jude fulfill its research mission to save the lives of even more children.

From the emerging Med-Tech Corridor in the Tri-Cities...

To the leadership Chattanooga is showing in fiber optics and electric transportation...

To the unique wind tunnels and aerospace technologies at Arnold Engineering in Tullahoma...

To Vanderbilt and Meharry and the amazing medical expertise in and around Nashville...

To the strong, new biotech focus in Memphis...

We're poised in Tennessee to produce a new generation of ideas that will revolutionize the way the world does business.

Tonight I'm pleased to propose a New Economy Strategy to do just that.

I ask for your support to turn the ideas coming out of our high-tech institutions into more Tennessee companies and more Tennessee jobs.

I want us to work harder to keep our best and brightest and entice those who have already left to come home.

Our New Economy Strategy will train the next generation of Tennesseans to take full advantage of the emerging industries in our state. Our Strategy will better support and coordinate the many regional technology councils already active across Tennessee.

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Working together, we can change our economic landscape to meet the demands of a rapidly changing marketplace.

Health Care is not immune to this new marketplace, and we must meet the demands of change there, too.

I have proposed changes that will strengthen and improve TennCare.

In partnership with the federal government, the TennCare of the future will be leaner and more efficient. It will better reflect the private insurance market. It will be more focused, more accountable, and it will serve as the health insurance program of last resort for people with the greatest needs.

I am certain, that working together, we can preserve the promise of available, affordable, quality health care for all Tennesseans...especially our children.

Our biggest challenge, however, lies in education.

We still have far too many in our state without a high school or college education. But we've proven that hard work and cooperation bring progress. Because of our investments over the past decade, the percentage of adult Tennesseans with a college degree and a high school diploma increased at a higher rate than the national average. That's still not good enough.

I believe that the more we invest to educate our children, the less likely they are to need government assistance later. Or end up in our prisons, where about 70 percent of the population has never finished high school.

I applaud the Legislature's courage and vision in passing our administration's Reading Initiative last year. Unfortunately, a lack of revenue kept it from being implemented.

And so tonight, with faith that this Legislature will act in the children's best interests, I again propose a statewide Reading Initiative that will ensure every child in Tennessee can read by the third grade.

My budget again calls for funding a preschool program for Tennessee's at-risk 4-year-olds, with a goal of reaching every 4-year-old in 4 years. I propose to use state dollars to expand the federal Reading Excellence Act grant to serve an additional 40 schools and provide online training for every K through 3 teacher.

It's imperative also that we address the declining conditions at our colleges and universities.

With us tonight are more than 100 students from our UT system who came here on their own as a show of support for investment in higher education.

They'll be happy to know my budget again will include second-year funding of a five-year plan to improve faculty recruiting and retention at campuses throughout the state. It calls for badly needed upgrades in our labs and in our classrooms where leaky ceilings and aging equipment keep excellence at bay.

My budget reflects a commitment to excellence in higher education.

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It reflects the needs of Tennessee's children. It puts children and their education first.

The tragic events of September 11th reminded us all just how precious life is. They reminded us to make every day count.

That tragic day also demonstrated the good that can come when we unite and act unselfishly toward a common goal.

True to the Volunteer tradition, Tennesseans were among the first to respond to the events of September 11th.

We're privileged to have with us tonight several people who rose to the challenge of the first war of the new Century and showed courage in the face of adversity.

Just a few hours after the attack on the Pentagon, a highly specialized search-and-rescue team out of Memphis was on its way to Washington with over 50,000 pounds of equipment in tow. It was the first working deployment for Tennessee Task Force One, which is one of only six such teams in the country that specializes in weapons of mass destruction.

Several members of Task Force One are with us tonight in the gallery. I'd like to first introduce them and then ask them to stand...

From the Memphis Fire Department...Chris Wilson, Bobby Qualls and Barry O'Neill...along with Paul Nickl, a volunteer with the Germantown Fire Department.

Like so many heroes of nine-eleven, these are people whose daily lives are spent as firefighters, paramedics, doctors, nurses and engineers...public servants deserving of the public's respect.

We thank you for putting your lives on the line to protect ours.

I'm also privileged to introduce to you several of America's patriots serving in our military.

First, from the 5th Special Forces Group out of Fort Campbell, Captain John Leopold, who recently was awarded the Purple Heart for wounds he received in Afghanistan.

Chief Warrant Officer Terry Reed, also from the 5th Special Forces, was awarded the Bronze Star and Purple Heart for wounds he received in Kandahar.

Staff Sergeant Sean Dunn, from the 160th Special Operations Aviation Regiment, a member of the crew that rescued the aid workers in Afghanistan, including Tennessee's Dayna Curry.

And finally, Sergeant Andres Loo of the 187th Infantry who is about to deploy for Afghanistan with other units of the 101st Airborne Division.

And we will always remember Master Sergeant Jefferson Donald Davis of Watauga, who was among the first to give his life in the fight for freedom.

We're honored that his wife Mi, and their two children, 14-year-old Cristina and 11-year-old Jesse, could join us tonight. Mrs. Davis, would you and Cristina and Jesse please stand...

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We salute the Davis family and all of the men and women called into action in the name of freedom and democracy, including nearly 1,100 Tennessee National Guardsmen deployed in support of Operation Enduring Freedom, Operation Noble Eagle and state homeland security.

To be sure, our response to the threat of terrorism has been swift and strong.

We were among the first states to deploy our National Guard to our state's airports.

We were one of the first to join the President in the formation of a Homeland Security effort, lead by Brigadier General Wendell Gilbert.

We remain in close contact with local officials across the state, sharing valuable information from Washington and elsewhere.

We recently received word that federal funds will be made available to aid security efforts in all 95 counties, which will help but won't cover the full cost of our mission.

Early on, as part of that mission, we made a vital decision to restore funding to several state agencies that suffered cuts last August.

With that, we began terrorism preparedness training for our firefighters. We increased testing capabilities at our state labs, which processed over a thousand Anthrax threats in a matter of weeks.

Among other things, we re-evaluated the responsibilities associated with protecting Tennessee's transportation network and our region's nuclear-energy facilities.

We must ensure that Tennessee continues to have the needed tools—legal and financial—to do our part in combating this new war.

To this end, I urge every member of the General Assembly to join Chairman Kisber and Senator Clabough in sponsoring tough, new homeland security measures.

Working with our Homeland Security Council, they have developed a great piece of legislation. I hope it gains speedy approval and reaches my desk by the end of this month.

It's odd to think how much has changed in the few months since the last time we were all together in these historic halls. And yet, we still face many of the very same issues.

I hope that the resolve and unity of September 11th can set a new tone of cooperation to our work—the same tone and cooperation that led to the historic, bipartisan solution to redistricting.

For the last three years, we have engaged in a historic debate about what kind of state we want to be and what we must do, as a government, and as a people, to achieve that vision.

We ask the young men and women we send into war to be courageous. We must ask the same of ourselves as we continue the debate here in Tennessee.

Before the recent deployment out of Fort Campbell, television crews showed a commander preparing his soldiers for the battle ahead.

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He was reminding them of the driving force behind their mission. It was, he said, to fight for America's children and grandchildren so that they can grow up and enjoy the same freedoms we enjoy today.

We share that driving force.

I keep talking about the need to invest in Tennessee—and I think many of you do too—for the very same reasons.

First, because it's the right thing to do. And second, for the future. So that our children and our grandchildren can grow up and enjoy the same opportunities we've enjoyed. And more.

By all accounts we're over \$350 million in the hole this year. Add to that the \$230 million or so in one-time expenditures that was spent on recurring needs...plus another \$300 million in additional revenue to meet the estimated growth in the state's mandated obligations.

That's nearly \$900 million just to keep the state running. Add to that a modest investment in education...in our employees...and in the Rainy Day fund, and we need to find somewhere in the neighborhood of \$1.2 billion.

Everyone in the bipartisan leadership agrees on the magnitude of the problem.

Since I've been in office, we've cut over \$400 million from the budget...\$100 million of that was just a few months ago.

We will continue to look for ways to cut and make government more efficient. But once you take away all the things that we're required to fund, either by legislation or court order, there is very little left to cut and still maintain any semblance of being a competitive state.

Over the last seven years, we've cut the rate of growth of government spending some 40 percent. We've kept the size of government in check despite legislative and court mandates to add hundreds of new positions.

In fact, thanks to efficient and effective management, Tennesseans' hard-earned tax dollar goes further today than at any time in Tennessee history.

That's spelled out, in simple terms, in this document the State Taxpayers' Budget which we'll present in a couple of days.

In it you will see the real picture of state government. In it you will find the real budget numbers, which aren't \$18 billion or \$19 billion, but \$9.6 billion.

Unlike the budgets you've received in the past, it doesn't include federal funds or all the flow-through dollars, like tuition and child support payments.

This is a change in the way we present the budget, and it ought to continue in the future.

The budget I will present is balanced. It also calls for new investment in education, economic development, healthcare and homeland security.

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We need a reform plan for Tennessee that lives up to that investment and offers a longer-term fix to our state budget turmoil. It needs to be reform that is simple, fair and grows with the economy.

I will submit such a plan with my budget...a budget that also includes a well-deserved raise for our state employees.

Make no mistake. We are facing one of our toughest hours in Tennessee.

But the challenges before us pale in comparison to the promise...the promise that comes with each new day in Tennessee when more than 200 babies take their first breath.

We must find the courage to put political gain aside and put the future of Tennessee first. My challenge to everyone here this evening is to find the courage to make a difference in the lives of Tennessee's children. That's a pledge we can all sign.

I want to share with you a letter I received from an elementary school principal.

She writes: "Every day...we teach our children about the importance of strong character. One of the traits we value and admire is courage: the ability to stand up for what is right even in the face of adversity and even when it's unpopular. We tell our children that courage is how we act when things are tough!"

..."Be courageous," she says, "Let history show that your strength of character created a strong legacy for Tennessee."

She's right, you know.

The politics of procrastination have held us back too long already. For the next few months, let's put partisanship aside. In everything we do, let's be Tennesseans first and foremost.

Let's do our part to fulfill the promise of the next generation.

Let's have the courage to make a difference in the lives of every child born in Tennessee today and everyday.

God bless these United States of America. And God bless Tennessee.

President Naifeh stated, "The purpose for which this Joint Convention was called having been accomplished, the Joint Convention stands dissolved."